

May 16, 1975

PRESIDENT: Mr. Clerk.

CLERK: Read E & R committee reporting regarding LB74, 74A, 140, 189, 410 and 577 all correctly engrossed.

Mr. President your committee on E & R reports that we have examined 368 and 368A both correctly enrolled.

PRESIDENT: While the Legislature is in session and capable of transacting business, I have signed LB368 and 368A.

CLERK: Mr. President, your enrollment clerk reports that she did on this day present to the Governor for his approval LB 302, 212, 605, 607, 417A and 417. Signed Barbara Jackson. That is all Mr. President. LB279. Read

PRESIDENT: Senator Luedtke.

SENATOR LUEDTKE: Mr. President, I would move that LB279 be advanced to E & R initial. I believe that I will explain the bill and then take up the amendments which are in reality committee amendments which were developed after the....developed and brought through the computer after the bill was put on General File by the committee. In order to save time we did that. Then, I brought them out and signed the amendments. They actually are what they would have normally have been committee amendments. This particular bill has been worked on by the Judiciary and by the Bar of the State of Nebraska for some five, six, seven years. In fact it was almost a decade in coming. In fact the Supreme Court on practice and procedure established a committee back in October of 1969 which under took a study to modernize and simplify the rules of evidence for consideration on the bench and bar at that time. They came out in August of 1973 with a complete proposed Nebraska Rules of Evidence at that time after they had considered it in sub-committees of the bar and the judges association and then presented it to the Legislature at that time and it was assigned to the Judiciary Committee and last year an interim study committee was appointed and during the summer months the judiciary committee traveled to Scottsbluff and North Platte, held hearing in Omaha and Lincoln on the subject matter of the proposed rules of evidence. The idea of course is the concern to secure fairness and truth in order that this may be done more thoroughly and to ascertain the proceedings are justly determined in our courts of law. It applies to all courts in the state of Nebraska and the rules are an attempt to modernize them to bring them into compliance modern day techniques with trial court practices. Those of you who have ben on juries, those of you who have been in law suits, realize that sometimes you have to bring up your rules of evidence to fit the times in which we are living. This has been done by the federal government and the new federal rules of evidence will go into effect July 1, or 2, I can't remember exactly, but they are for the most part the same as we are proposing and the proposed rules of evidence in 279. In fact one of the strong arguments in adopting 279 at this time is the fact that we would have the federal rules and the Nebraska rules of evidence almost at exactly the same so that when a lawyer is representing you whether it be in the Federal, District or the County Court that he or she will know that these rules are virtually the same and will not have to be wondering which court am I in and which rules are