

January 17, 1980

LB 533, 597

SENATOR FOWLER: So I think I will lay it over so we can provide that to the membership.

SPEAKER MARVEL: Okay and then you can bring it up in a few days. Okay.

SENATOR FOWLER: Right. Thank you.

SPEAKER MARVEL: If there is no objection we will lay over LB 533. Senator Fowler, do you want to lay over the LR 43? What about Miscellaneous Subjects, 535? Excuse me? Neither the Chairman nor the Vice Chairman of Miscellaneous Subjects is here so we will move on from 535 and go on to 597. Senator Stoney, are you prepared for 597?

CLERK: Mr. President, LB 597 was introduced by the Judiciary Committee and signed by the members thereof. (Read title.) The bill was first read on April 18. It was referred to the Judiciary Committee. It was advanced to General File. There are committee amendments pending, Mr. President.

SPEAKER MARVEL: Senator Stoney.

SENATOR STONEY: Thank you, Mr. President. Members of the Legislature, the amendments are as follows. This legislation deals with prejudgment attachment of property. The suggestion for this amendment came from the Nebraska Supreme Court. It was presented to the Judiciary Committee through the Supreme Court Committee of Practice and Procedure. The amendment does this. It removes the restriction on associate county judges from issuing prejudgment attachments. The prejudgment attachments area is quite technical, however, the Supreme Court felt that the associate judges and nonlawyers could receive training in this area which would sensitize them to the issues that would be involved. Now in forty-eight counties here in Nebraska there is no resident county judge or resident district judge available to sign prejudgment orders. To disqualify the associate county judge could cause some hardship in these forty-three counties especially when we consider that speed is often important in this area. Associate county judges, after appropriate training, should then be allowed to issue these particular orders. So this is a rather technical amendment and I move for its adoption.

SPEAKER MARVEL: Senator Cope, your light is still on. Did you wish to be recognized? The motion is on the committee amendments. All those in favor of adoption of the committee amendments vote aye, opposed no. Voting on the adoption of the