

May 11, 1981

LB 89

expectation. We want to work with the continuation of concern about the level of workload in the remaining judicial districts but I would emphasize again, Lancaster County is in a unique position. We cannot change that overnight. There is a heavy, heavy load in this judicial district and in previous presentations you are aware of the justification for the case load in this county in the third judicial district to be lightened. I urge your rejection of the amendment which is proposed. Can we afford to take the risk that even one criminal case will be dismissed because the time has elapsed? You have the information at your fingertips. If you will take the time to read, please inform yourself regarding this serious situation regarding LB 89. Let's move it across the board this year and solve the problem in the third judicial district, continue to work to solve the problems elsewhere in this state that do not have the high priority which the third judicial district does have. I urge you to reject the proposal which has just been presented. I think perhaps it would have not been presented had the introducer had the background....

SENATOR CLARK: You have thirty seconds.

SENATOR MARSH: ... of reading Judge Fahrbruch's letter before he filed the motion. I would like to give him the benefit of the doubt, thinking that he would not want to let even one criminal case have to be dismissed because of the time lag. I urge your rejection of this amendment.

SENATOR CLARK: Senator Koch.

SENATOR KOCH: Mr. Chairman, members of the body, I find this proposal one of frustration on the part of some members, possibly due to this morning's action on another piece of legislation. I don't think that we should use one action to harm another action, particularly as we check the votes of LB 89 across the record board. All you have to do is look at the record of the Lancaster County district judges and see, even though they are one of the most efficient judicial bodies, they still have a great number of cases and for us to defer this until a study has been made, I think would not be in our best interest. Therefore, I am opposing the motion made by Senator Lamb, now defended by Senator Johnson to bracket this piece of legislation because when we find out what the study is going to provide to us, we will make those provisions at that time and now is not the proper time. I suggest we proceed with the business and that is LB 89 which can be defended and we will not have to try to hide our actions through some other kinds of motions. Thank you.