

January 29, 1982

LB 192

CLERK: Senator Warner would move to amend the amendment.

SENATOR CLARK: All right.

SENATOR WARNER: Again that is identical to Senator Vickers, the purpose of his amendment. It merely places it in a different sequence within my amendment and I would move its adoption. It is the one that assesses the agency's appropriation operating budget first before the payment of any court fees.

SENATOR CLARK: Senator Remmers, do you want to talk to the amendment on the amendment?

SENATOR REMMERS: Mr. Speaker, members of the Legislature, I just want to say that the amendments that Senator Warner is speaking of were certainly in order. There were some problems in the bill that I was not aware of earlier and I urge the body to support these amendments.

SENATOR CLARK: Senator Vickers, do you want to talk on the amendment to the amendment?

SENATOR VICKERS: Mr. President, members, very briefly, I would support Senator Warner's amendment and his amendment to the amendment. As he indicated, I did have some concern with the wording of his original amendment to make certain that first of all the filings before the Claims Board were done by the agencies and not by the individual that had won his day in court, he had won in his day in court, he had won his attorney fees, and then have to turn around and file and fight that battle all over again before the Claims Board to get those attorney fees from the Claims Board. So Senator Warner's amendment to his amendment clarifies that it is the agency that is responsible for doing that and not the individual. It also clarifies that another concern of mine was that we wanted to make that shoe pinch just a little bit to those agencies if possible so that they wouldn't get into the position of harassing people to start with, in other words not have these lawsuits, too many anyhow, and Senator Warner is doing that with his amendment. So I would urge the body's adoption of Senator Warner's amendment to his amendment and then his amendment to the bill. I think it makes the bill much more workable and I consider it a friendly amendment.

SENATOR CLARK: Any further discussion on the amendment to the amendment? All those in favor of the amendment to the amendment vote aye, opposed vote no.

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