

January 27, 1989

LB 230, 232

CLERK: LB 230, Senator, I have no amendments to the bill.

SPEAKER BARRETT: Senator Lindsay.

SENATOR LINDSAY: Mr. President, I move that LB 230 be advanced.

SPEAKER BARRETT: Shall LB 230 be advanced? All in favor say aye. Opposed no. Carried, the bill is advanced. LB 232.

CLERK: Senator, I have no E & R. I do have an amendment to the bill by yourself. (Lindsay amendment is printed on pages 462-64 of the Legislative Journal.)

SPEAKER BARRETT: Senator Lindsay.

SENATOR LINDSAY: I'm having distributed now my proposed amendment to LB 232. The purpose of this amendment, what this amendment states is that... I guess I should back up. LB 232 provides that the answer date in county court be amended to be uniform with the answer date in district court. This amendment provides that same uniformity in Small Claims Court. If we're going to have the uniformity between the courts and that's going to be the only reason for having that uniformity, I think we should be extending that further. As I mentioned on the floor the other day when we were debating this, I don't think that we need that uniformity. I think there are different purposes for the different courts, and I think that the procedure is designed to effectuate those purposes. For that reason, I would urge that you adopt the amendment.

SPEAKER BARRETT: Thank you. Discussion on the amendment to LB 232? Senator McFarland.

SENATOR MCFARLAND: It's my day to speak, Mr. Speaker. Senator Chizek is not here. He's on his way from Omaha. He's a little delayed this morning. So they asked that I address some of these bills as the Vice Chair of the Education Committee. This bill has been discussed before on General File. And, as you will note, Senator Lindsay, at that time, raised the concern about whether we absolutely need uniformity between the district court system and the county court system. I haven't had a chance to see the amendment, and I'll have to take a look at it. I will just say that my initial reaction is to oppose the amendment because the idea of the bill is for clarity, for consistency, for uniformity within the procedures. The