

SPEAKER BARRETT: The amendment is adopted. Senator Chizek, on the bill.

SENATOR CHIZEK: Mr. Speaker, fellow members, LB 265 addresses two issues which have developed with child support enforcement in the courts, and more specifically the use of referees in those proceedings. Federal legislation requires that those proceedings be done in an expedited fashion. At the same time the statutes outlined in the use of referees were last year declared unconstitutional by the Nebraska Supreme court in the Drennan (phonetic) case. The defect in the statutes involve the delegation of judicial functions to nonjudges. So we have, basically, two separate demands on the process which intersect in this bill. The district court judges, in Douglas County, had asked me to introduce LB 265, to consequently satisfy the state constitutional requirements, while meeting the federal mandates. LB 265 permits the referee to conduct the proceedings as before, but any findings and recommendations made by the referee are reviewed by the district court. LB 265 further provides that any party may take exception to the findings and recommendations of the referee. These exceptions will also be forwarded to the district judge for review with the referee's report. The important provision is the nonbinding nature of the referee's recommendation. The Nebraska State Bar, the Omaha Bar, the Nebraska District Judges have all testified in favor of LB 265. There were no opponents, and I would urge the body to advance the bill.

SPEAKER BARRETT: Thank you. Discussion on the advancement of 265? Seeing none, those in favor of that motion please vote aye, opposed nay. Voting on the advancement of the bill. Please record.

CLERK: 26 ayes, 0 nays, Mr. President, on the advancement of LB 265.

SPEAKER BARRETT: LB 265 is advanced. LB 397.

CLERK: LB 397, Mr. President, introduced by Senators Chambers and Dierks. (Read title.) The bill was introduced on January 12, referred to the Judiciary Committee. The bill was advanced to General File. I have no amendments to the bill, Mr. President.