

March 14, 1991      LB 422, 561

proceed to vote on the motion to advance LB 422. All those in favor please vote aye, opposed nay. Have you all voted? Please record, Mr. Clerk.

ASSISTANT CLERK: 25 ayes, 0 nays to advance the bill.

PRESIDENT MOUL: LB 422 is advanced. LB 561.

ASSISTANT CLERK: LB 561 was introduced by Senators Robak and Wickersham. (Read title.) The bill was read for the first time on January 22, was referred to Judiciary Committee. That committee reported the bill directly to General File.

PRESIDENT MOUL: Senator Robak.

SENATOR ROBAK: Thank you, Madam President and members of the body. LB 561 will amend Section 25-1905 of statute to allow an individual, who is filing a petition in error, to file a praecipe or a request directing the appropriate tribunal or board to prepare a transcript of the proceedings the plaintiff is appealing from. Currently, when someone appeals a decision of a board or a tribunal or an administrative officer, they file with the court a document called a petition in error. And with that petition they are required to file the actual transcript of the proceedings in which the decision they are appealing was rendered. They must file the petition and transcripts together, and they only have 30 days from the date of the meeting to file the petition, or they lose their opportunity to appeal. For example, if a school board holds a hearing on the employment status of a teacher, and after having the hearing votes to terminate that teacher, he or she has a right to appeal this decision by filing a petition in error with the court within 30 days. But along with that petition must be a copy of the transcripts from that board meeting. And if the board secretary does not provide those transcripts within that 30 days, the teacher is out of luck. Under LB 561, this teacher, or any appealing party could simply file a legal request with his or her petition and the transcript would be provided to the appropriate court. Many times it is impossible to get the actual transcripts to the appropriate court by a 30-day deadline. All LB 561 is asking for is that we allow either the transcripts, or an official request for the transcripts to be filed with the petition by the deadline. I would ask your support in advancing this bill to Select File. Thank you.