

April 9, 1992

LB 1184, 1255

light on. Senator Landis, would you like to close on your amendment?

SENATOR LANDIS: I will waive closing, Mr. Speaker.

SPEAKER BAACK: Thank you, Senator Landis. Closing has been waived. We will now vote on the Landis amendment. All those in favor vote aye, opposed vote no. We are voting on the amendment offered by Senator Landis. Have you all voted? Have you all voted? We are voting on the Landis amendment. Have you all voted? Record, Mr. Clerk.

CLERK: 26 ayes, 0 nays, Mr. President, on adoption of Senator Landis' amendment.

SPEAKER BAACK: The amendment is adopted.

CLERK: Senator Wickersham would move to amend, Mr. President.

PRESIDENT MOUL: Senator Wickersham.

SENATOR WICKERSHAM: Thank you, Mr. Speaker, members of the body. The amendment you have in front of you is really LB 1255. It was heard in the Judiciary Committee and reported out without any opposition from the committee. There was one person that appeared and testified against it. That individual was simply concerned that they might have to pay guardian ad litem fees at some point in time. Very simply the bill provides that guardian ad litem fees can be taxed as costs in a dissolution action. And if they're taxed as costs, that they may be taxed as costs to the parties. Or if the parties are indigent, the costs can be taxed to the county. We're not sure what fiscal impact this would have on the counties, but under current practice most oftentimes the costs are taxed against the county in any event. We have had one district court that said based on some changes we made last year in the child support laws that they did not believe they had the authority to tax costs to the county any longer. This simply corrects that situation and would continue what everyone thought was the law and is standing practice. I think it is very straightforward. It simply provides for the payment of the guardian ad litem fees by the parties if they're not indigent. If they are indigent, provides for payment by the county.

SPEAKER BAACK: Thank you, Senator Wickersham. Discussion on