

February 8, 1995 LB 411, 420

SENATOR HALL: LB 411 is advanced. The next item, Mr. Clerk. Excuse me, before we go to that, I do have one guest of the Legislature that I would like to introduce. Senator Coordsen has a guest, Jonathan Vortman, from Carlton, Nebraska, under the north balcony. Mr. Vortman, would you please stand and be recognized by the Legislature. Thank you for joining us today. Mr. Clerk, the next item.

CLERK: Mr. President, LB 420 introduced by Senator Lindsay. (Read title.) The bill was introduced on January 12, referred to the Judiciary Committee for public hearing, advanced to General File. There are committee amendments pending, Mr. President.

SENATOR HALL: Senator Lindsay, on the Judiciary Committee amendments.

SENATOR LINDSAY: Thank you, Mr. President, and members, LB 420 is a bill, again, brought to me by the Supreme Court. It deals with garnishments. When garnish...when a court now garnishes or issues a garnishment, the payment is paid into court. The court then holds...deposits the check, holds the funds for, I believe, 15 days to make sure the check clears and then issues a check payable to the judgment creditor. What this bill would do is to change that so that the court would...the judgment creditor would...or, excuse me, the garnishee would make the check payable to the judgment creditor, would then be returned to the court, the court would merely record the fact that that check has come through and then forward the original check onto the...onto the judgment creditor. The committee amendments make that discretionary or permissive for the garnishee rather than mandatory, and it just simply allows that the garnishee can make that payable to the judgment creditor instead of to the court. With that, I would be happy to try to answer any questions. Would urge the adoption of the committee amendments.

SENATOR HALL: Thank you, Senator Lindsay. You've heard the opening on the committee amendments. Is there any discussion? Seeing none, Senator Lindsay waives closing. The question is the adoption of the committee amendments to LB 420. All those in favor vote aye, opposed nay. Have you all voted? We're voting on the adoption of the committee amendments to LB 420. Senator Lindsay.

SENATOR LINDSAY: Mr. President, I would ask for a call of the