

February 28, 1995 LB 411, 420

E & R amendments to LB 411.

PRESIDENT ROBAK: Any discussion? Seeing none, the question before you is the adoption of the E & R amendments to LB 411. All those in favor say aye. All those opposed nay. The amendments are adopted.

CLERK: Nothing further on the bill, Madam President.

PRESIDENT ROBAK: Senator Maurstad.

SENATOR MAURSTAD: Madam President, I would move to advance LB 411.

PRESIDENT ROBAK: Is there any discussion? Seeing none, the question before you is the advancement of LB 411. All those in favor say aye. All those opposed nay. LB 411 advances. LB 420.

CLERK: 420, no E & Rs. Senator Withem would move to amend the bill. (See AMO422 on page 750 of the Legislative Journal.)

PRESIDENT ROBAK: The Chair recognizes Senator Withem.

SPEAKER WITHEM: Members of the body, this amendment I think is relatively technical in nature and Senator Lindsay can respond if he agrees with that. I know my office has been working with his office on this. This bill deals with garnishments and the procedure by which the district court functions with those, and it looks to me like, Senator Lindsay, this is an attempt in most cases to streamline that process and make it flow a little more easily. I was contacted by my Clerk of the District Court who is very concerned about child support payment garnishments and whether or not the process of...that this bill would call for, somewhat streamlining the process might cause some of those child support payments to be recorded erroneously as having been paid but we'd find out later on they were paid with an insufficient check and the record would reflect that they had been paid but the individual may not have gotten the money. So what this would do would be to add the language, "Except for garnishments in support of a person, the payments may be made payable to the judgment creditor or assignee and", then it goes on with the rest of the bill. The effect of this would be to have garnishments follow this new procedure but to exempt out child support payments. With that, Senator Lindsay, if you'd