

SPEAKER WITHEM: Senator Maurstad.

SENATOR MAURSTAD: Mr. President, I'd move to adopt the E & R amendments to LB 1296.

SPEAKER WITHEM: All in favor say aye. Opposed. They are adopted. Mr. Clerk.

CLERK: Senator Wickersham would move to amend the bill. (See AM4271 found on page 1736 of the Legislative Journal.)

SPEAKER WITHEM: Senator Wickersham.

SENATOR WICKERSHAM: Thank you, Mr. President. This amendment was printed in the Journal yesterday. It does a couple of things. One, it is a variation of an amendment that was printed and then withdrawn earlier to this bill. What it allows is the assignment, by a district judge, to a consenting county judge of a matter arising under Chapter 42. Chapter 42 has to do with those issues concerning marriage, it's dissolution, it's conciliation, a number of issues, but they are, basically, those domestic relations issues in Chapter 42. So a district judge could assign, to a consenting county judge, one of those issues arising under Chapter 42. The change from existing law is that that assignment would not require the consent of the litigants. The consent of the litigants would not be required for that assignment, only the assignment by the district judge and the consent of the county judge. The amendment was offered in a broader form to apply to all matters. That was withdrawn because there were objections by the trial attorneys. This is offered to you as a much more limited exception, if you will, to the present rule in that it only applies to Chapter 42 matters. The other change that is made by the amendment is a delay of the effective date of the other provisions in the bill until October 1 of 1997. If you recall, on General File, Senator Kristensen raised a variety of questions concerning the concurrent jurisdiction of the district court and county court in dissolution matters, and those questions related to bookkeeping. Senator Kristensen wanted to know where the orders were going to be filed, how someone could find them in a central registry, who was going to enforce the child support orders, were there going to be additional fees required if judgments were transferred or transcribed from the county court to the district court? Some of those issues are still unresolved but