

TRANSCRIPT PREPARED BY THE CLERK OF THE LEGISLATURE  
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FLOOR DEBATE

January 30, 2003 LB 20, 47

representative. A personal representative is under a duty to settle and distribute the estate of the decedent in accordance with the terms of the will and the statutory provisions regarding estates. The county courts hear all matters relating to the settling and finalization of estates. Section 30-2464(c) of the Nebraska Revised Statutes provides an exception to such exclusive jurisdiction. For causes of actions that survive the decedent, the court that would have had jurisdiction of the decedent's claim would hear the case. An example of such would be a claim for personal injury with damages of more than \$45,000, actually a wrongful death case, against the wrongdoer who caused the death of the decedent. In such an example, the district court would hear that case. LB 20 would cross-reference the exception to the county courts' exclusive jurisdiction with regard to probate matters. I urge the advancement of LB 20. It was unanimously advanced by your Judiciary Committee. Thank you.

SENATOR CUDABACK: Thank you, Senator Brashear. You've heard the opening on the advancement of LB 20. Open for discussion. There are no lights on. Senator Brashear, did you wish to close on...Senator Brashear waives that opportunity to close. The question before the body is, should LB 20 advance to E & R Initial? All in favor vote aye, opposed nay. We're voting on advancement of LB 20. Have you all voted who wish to? Record please, Mr. Clerk.

ASSISTANT CLERK: 28 ayes, 0 nays on the motion to advance the bill, Mr. President.

SENATOR CUDABACK: LB 20 does advance to E & R Initial. Mr. Clerk, next agenda item.

ASSISTANT CLERK: LB 47, Mr. President, was introduced by Senator Brashear. (Read title.) The bill was read for the first time on January 9, referred to the Judiciary Committee. That committee reports the bill directly to General File with no amendments.

SENATOR CUDABACK: Senator Brashear, you're recognized to open on LB 47.