

TRANSCRIPT PREPARED BY THE CLERK OF THE LEGISLATURE  
Transcriber's Office  
FLOOR DEBATE

February 5, 2003 LB 245

SENATOR BRASHEAR: ...by adopting Senator Chambers' amendment. And with that, I would return the balance of my time to Senator Chambers ..the balance of his time back to him. Thank you.

PRESIDENT HEINEMAN: Senator Chambers, I think it's your time.

SENATOR CHAMBERS: How much time is left, Mr. President?

PRESIDENT HEINEMAN: About 45 seconds.

SENATOR CHAMBERS: Then I will not speak at this moment. Thank you.

PRESIDENT HEINEMAN: Thank you, Senator Chambers. The Chair recognizes Senator Brashear.

SENATOR BRASHEAR: Mr. President, by Senator Chambers' provision of time to me, I was able to say everything I knew how to say, and I would now yield the balance of my time to Senator Chambers.

PRESIDENT HEINEMAN: Senator Chambers.

SENATOR CHAMBERS: Thank you, Senator Brashear. Thank you, Mr. President, and I turned off my light because I was going to speak again on my own time. I hope you understood that Senator Brashear is supporting my amendment. My amendment would strike that language about interest from the definition of "support." If that language about interest is in the definition, then the court is compelled to impose interest in every case, even if the facts of the case do not warrant it. We would be mandating it in every case if my amendment is not adopted. If my amendment is adopted, it does not take away the power from the court to impose interest. But what we have is certainty. First of all, we have certainty as to the rate of interest. The amount that the court has established is not a matter of law in the sense of it being in the statute. If you keep this language that is in the statute, it could be as high as 2 percent above 18 percent, as pointed out by Senator Jensen. But the way it would be if you adopt my amendment is that the court can impose interest in suitable cases, and I have no objection to that. But the