

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

May 15, 2003

LB 760

summarize the committee amendment, starting now in this introduction of the bill proper, because the committee amendment does in fact become the bill. As amended, LB 760 would create a new court fee. And there are several court fees that I will itemize throughout the bill. All of those court fees together tie with...we are not proposing anything separate or distinct from that which you endured in the discussion this morning with regard to judges' retirement. And in fact, that's why the judicial retirement provisions are still contained within the amendment. And that will all be reconciled at the Enrollment and Review process. So I want to assure some...everyone that there's nothing that is a change from what was done this morning. We're on forward progress here. In the committee amendment, we will be talking about a 50 cent education fee. But in a subsequent amendment, we will be talking about increasing that from a 50 cent fee to a \$1.00 fee. And that is a part of the same kind of ongoing negotiating and negotiations process which you saw and observed and were a part of this morning with regard to the judicial retirement bill. But within the amendment itself, it's a 50 cent fee. Irrespective, the bill provides...the committee amendment provides the Supreme Court may appoint an advisory committee. That's to honor the separation of powers. So we are not saying the Supreme Court shall. We are not ordering them to. But they may appoint an advisory committee to develop a curriculum for education and training with our our courts. Until recent fiscal years, the court has provided for continuing legal education from its general operation budget. But because of reductions in that budget, the Supreme Court has limited ongoing legal education for probation, the office of probation, the staff of probation, and for court staff. On November 15, 2001, the Chief Justice eliminated all judicial and probation staff out-of-state education. With limited and individual exception, the court has eliminated most in-state educational seminars. Now, this has an impact...and I would respectfully suggest to you it's an adverse impact. And I'd draw your attention back to our special session recently, dealing with the death penalty and the results of Ring v. Arizona. Following Ring v. Arizona by the United States Supreme Court, the five states that were most directly impacted by that decision assembled a meeting in conjunction with the National Conference of Chief Justices. Our Chief Justice did