

April 30, 1973

each whistle post and we would like to leave it at what the present statute is. Therefore, I'd ask for the adoption of the first part of that amendment if we could split these up. I could take them all at once, but should I try?

SPEAKER: This, I think we'd better take one at a time. Senator Cavanaugh, did you have a question or wish to speak?

SENATOR CAVANAUGH: I would like to ask a few questions before we go further and I think I'd like to make a motion on this bill. Senator Barnett, do you feel that this bill is urgent in that it be passed this session?

SENATOR BARNETT: Yes, I do.

SENATOR CAVANAUGH: For what reason?

SENATOR BARNETT: For the reason that it's been put off for four years in the State of Nebraska and it's had work in study committees and everything else put into it. The expense that's been put into it is astounding if you want to know the truth.

SENATOR CAVANAUGH: Well, I'll say this, I'm not terribly familiar with the bill perhaps from my own neglect but I've also spoken to Senator Luedtke and Senator Fellman, neither of which also are familiar with the bill in its present form. It seems to me that this bill has tremendous repercussions in the area of both civil litigation and the criminal sections that are involved here and it would be my suggestion to refer this to the Judiciary Committee for their consideration. I, as the other legal consequences of enacting this piece of legislation I might solicit your reaction to that.

SENATOR BARNETT: Oh, I'd be glad to give you my reaction to it and it would be completely negative because we've had attorneys look at it, we've had the Public Works Committee work on this now during the interim and during the whole session. I'm sure that we're not pulling anything over your eyes, as an attorney...

SENATOR CAVANAUGH: No, I'm sure of that, but the consequences...

SENATOR BARNETT: It's already had a public hearing by the Public Works Committee, it's already had a summer session with about eight or ten meetings involving attorneys and everybody else, now why do you want to put it into the Judiciary?

SENATOR CAVANAUGH: Okay, well let me ask you this. You had an original bill submitted by the interim study committee.

SENATOR BARNETT: That's right.

SENATOR CAVANAUGH: Now where do these amendments come from?

SENATOR BARNETT: They came from adoption of the committee amendments as the committee studied the bill with advise from the public hearing.

SENATOR CAVANAUGH: After the public--these...

SENATOR BARNETT: That's right.

SENATOR CAVANAUGH: Okay, so the conclusion of the interim study was not apparently satisfactory in its final form...

SENATOR BARNETT: Oh, it was, the, the committee amend, it, we decided to draft the new bill, John, because it would have been easier to give it to you under these circumstances rather than a whole bunch of amendments which a lot of it was corrective, word language, spelling and everything else. There's