

May 21, 1979

LB 363A

PRESIDENT: The Chair recognizes Senator Nichol on the motion to suspend the rules, which is....has to come first.

SENATOR NICHOL: Mr. Chairman, the other day you will recall that Senator Koch had 363A which was an appropriation bill which he didn't need any more, and LB 397 is sitting over on General File and according to Judge Denney the Pretrial Diversion Act is no more valid. In other words, we're talking about garnishments, and with that out the window we actually have no garnishment law, so what we need here is new garnishment law as set up by the Supreme Court. We've doctored this up and we think it is a good bill and our legal staff has counseled with various entities of law enforcement and judiciary members, and we feel this is a good bill, so what we are doing is suspending the rules to put in 397.....597 into 363A for this purpose. I call for the suspension of the rules.

PRESIDENT: The Chair recognizes Senator DeCamp on the.... speaking to the question of suspension of the rules.

SENATOR DeCAMP: I want to say I totally support Senator Nichol in this as he knows and as we all know from time to time decisions come down from the Supreme Court that knock out this law, change this....we have to be ready to adapt. So I urge you to support it, but I raise a question and I'm not trying to sabotage it. Are we going to be in trouble with the five-day rule?

SENATOR NICHOL: Pardon me, I wasn't listening.

SENATOR DeCAMP: Are we going to run into trouble with the five-day rule?

SENATOR NICHOL: I don't know....

SENATOR DeCAMP: In other words, we're changing completely the content, aren't we, or are we?

SENATOR NICHOL: We've had a hearing though...

SENATOR DeCAMP: Huh?

SENATOR NICHOL: ...I understand it's.....

SENATOR DeCAMP: So we're home free? Well, give her a try. What the heck.

SENATOR NICHOL: Okay.