

March 11, 1982

LB 720

Fowler wishes to raise the Call. The Call is raised, Senator Fowler. We will proceed then with the next bill which is LB 720, I believe, Mr. Clerk. Is that right?

CLERK: Mr. President, I have E & R amendments to LB 720.

PRESIDENT: Senator Kilgarin...oh, there you are over there. Are there any E & R amendments on this?

CLERK: Yes. Yes, there are, Senator.

PRESIDENT: There you are where I normally see you over there, okay.

SENATOR KILGARIN: I move we adopt the E & R amendments to LB 720.

PRESIDENT: Motion is to adopt the E & R amendments to LB 720. Is there any discussion? All those in favor signify by saying aye. Opposed nay. The E & R amendments are adopted on LB 720. Any further motions on the bill, Mr. Clerk?

CLERK: Mr. President, Senator Hoagland would now move to amend the bill, and the Hoagland amendment is on page 1108 of the Journal.

PRESIDENT: Page 1108 of the Journal, the Hoagland amendment. Senator Hoagland.

SENATOR HOAGLAND: Mr. Speaker and colleagues, this is a friendly amendment. Senator Nichol told me before he left that he had no problem with my amending his bill to attach this clarifying language on LB 720. Last year the Legislature decided to change the requirement that motions for a new trial be filed in every case and to make that optional to require the losing party in a law suit to file a motion for a new trial only if he thought it was in his best interest and not be required to as a prerequisite to seeking an appeal. Now the Legislature adopted that principle last year, however the language that we used in implementing that principle was not the best. This particular language which is on page 1108 of the Journal has been worked up by lawyers and others over the summer and the fall and it is intended to clarify that decision we made last year. As I indicated, Senator Nichol has no objection to our using LB 720 for this clarifying language. I would ask you to adopt this amendment. Thank you, Mr. President.

PRESIDENT: Any further discussion on the Hoagland amendment. I guess, Senator Hoagland, that is your opening and your

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