

adopted an amendment which is the amendment that Senator Haberman addressed. That amendment is not a good amendment. Senator Conway has offered an amendment to the committee amendment which is a good amendment. That is what we are dealing with right at this moment, the good amendment. Let me tell you what it does. It is very simple. It says if the State of Nebraska is to allow prejudgment interest, if it is to allow prejudgment interest the interest, itself, shall begin 120 days, that is four months, 120 days after the defendant is served with a summons in the case. Now the reason that is a good amendment is because that is incredibly definite in terms of time. It says that prejudgment interest begins 120 days, and we can all count 120 days, after a particular act, and the act is the service of summons. So we will all know, to a certainty, when prejudgment interest begins to accrue. If we were to follow the committee amendment prejudgment interest starts 90 days, which is also a fixed period time, after the placement of the case on the trial docket. The truth of the matter is district court, after district court, and county court, after county court, and municipal court, after municipal court, there being two of those, actually there not being any of those because the merger bill is taking effect, but the establishment of a trial docket is a fickle thing controlled by the court system and the judges. It is impossible to determine, with any degree of accuracy, exactly when a case is going to go on the trial docket. As a result it is hard for litigants to know when the prejudgment interest attaches, when it begins. So the Conway amendment does the first good thing, it establishes a bright line or a benchmark for the prejudgment interest. I don't care at this point whether you intend to support LB 157 or to oppose 157. The bill, itself, at least ought to be put in the best form for it to be discussed in terms of policy. The first step is to adopt the Conway amendment to the committee amendment. The second step is to then adopt the committee amendment as amended, and then we can discuss the bill.

SPEAKER NICHOL: Senator DeCamp.

SENATOR DECAMP: Mr. President, just to say I agree completely with the Conway amendment. It is very specific. It also is more than a reasonable amount of time, assuming you accept the concept of prejudgment interest, it is more than a reasonable time. It is 120 days from the filing or I