

when a case is placed on a trial docket, except this, a recalcitrant defendant could say to the judge this case is not ready to go on the trial docket because we are still in the so called discovery stages. It could string out, in effect, the whole time involved. The Conway amendment is very specific. It says if you are going to have prejudgment interest that interest begins to run within 120 days after the defendant knows about the lawsuit, after the defendant got served with the summons. That means you've got four months, defendant, to, in effect, sit down with the plaintiff and see if you can work out your differences and settle the case. You have four months to do your discovery in. You have four months to think about your case. At that point in time, if you guys can't get your act together, then we are going to attach prejudgment interest. So the better rule, frankly, is to leave it to the litigants, the plaintiff and the defendant, as to whether or not prejudgment interest shall attach. Why? How do you do that? By saying they've got four months time to get their differences settled. If they can't get them settled then prejudgment interest is going to attach. The committee amendment, which I suggest be amended, be repudiated, leaves it to the judge, in effect, as to when that prejudgment interest date shall begin. That is a bad rule.

SPEAKER NICHOL: Senator Goll is next. But, Senator Goll, if I might introduce some guests of Senator Rod Johnson. In the north balcony we have ten students from Doniphan, Nebraska, together with their teacher. Would you please stand and be recognized by the Legislature. Thank you for visiting us today. Senator Goll, please.

SENATOR GOLL: Mr. Speaker and colleagues, I'm questioning the procedure here because my file indicates that there was a previous committee amendment that has not, as yet, been addressed. Would that take precedent over what we are now doing?

SPEAKER NICHOL: No, the amendment to the committee amendments would be acted on first, Senator Goll.

SENATOR GOLL: Okay.

SPEAKER NICHOL: Thank you. Senator Haberman, please.

SENATOR HABERMAN: Mr. President, members of the body, I