

April 29, 1991

LB 425

amendments to LB 425.

SPEAKER BAACK: You've heard the motion to adopt the E & R amendments to LB 425. All those in favor say aye. Opposed no. They are adopted.

CLERK: Mr. President, the first amendment I have to the bill is by Senator Bernard-Stevens. But I have a note that Senator Bernard-Stevens wants to withdraw. This is AM...I'm sorry, sub...oh, Select, this is...you'd given it to me earlier, Senator, AM958, excuse me. (Bernard-Stevens amendment may be found on page 1572 of the Legislative Journal.)

SPEAKER BAACK: Senator Bernard-Stevens.

SENATOR BERNARD-STEVENS: Mr. Speaker, members of the body, I was in another conversation. I believe this is the one on the funding that would be by the courts. Is that correct?

CLERK: Costs of the guardian ad litem and court appointed counsel shall be paid by the...

SENATOR BERNARD-STEVENS: Yes. Members of the body, what this amendment basically does is say that if, in fact, a guardian ad litem were to be appointed, or if, in fact, a counsel would be appointed in the judicial bypass process, that any costs incurred would be paid for, in essence, by the state so that the counties themselves would not have to be burdened with that particular cost. I don't have the file in front of me at this particular point, but the cost estimates would be somewhere around...guesstimated to be 20,000 to, I think, 90,000 would be the total cost if, in fact, everyone that was estimated that has gone through Minnesota and other cases, if in fact they all received counsel, which would not obviously be the case. So the cost is not prohibitive. It does shift the cost so that the counties don't have to bear that with the problems that they're having already on the tax side, and would simply mean that the court would have to pick up that cost, and that would be through an appropriations process that would be going through the Supreme Court. And that's the nature of the amendment.

SPEAKER BAACK: Thank you, Senator Bernard-Stevens. Senator Labeledz.

SENATOR LABEDZ: Thank you, Mr. Speaker. From what I heard what