

ONE HUNDRED FIRST LEGISLATURE - FIRST SESSION - 2009
COMMITTEE STATEMENT
LB307

Hearing Date: Thursday February 19, 2009
Committee On: Judiciary
Introducer: Council
One Liner: Change sentencing requirements with respect to certain minors

Roll Call Vote - Final Committee Action:
Advanced to General File

Vote Results:

Aye:	7	Senators Ashford, Christensen, Coash, Council, Lathrop, McGill, Rogert
Nay:		
Absent:		
Present Not Voting:	1	Senator Lautenbaugh

Proponents:

Sen. Brenda Council
Loran Schmit
Tiffany Seibert
Val Peter
Mark Rathjen
Gabriella Culliver
Grace Mantich
Mona Schlautman
Jim Cunningham
Amy Miller
Coleen Nielsen
Marian Klostermann

Representing:

Introducer
self
Voices for Children
self
Justeen Orleen (Williams)
Friend/Family of Inmates
Family/Friends of Inmates
Friends/Families of Inmates
Nebraska Catholic Conference
ACLU Nebraska
Nebraska Criminal Defense Attorney
Alternatives to Violence Project

Opponents:

Sharon Hanke
Andrew Stock
Kirby Drake
Elaine Schumaker
Kimberly Pankonin

Representing:

self
self
Kirk Drake
self
NE County Attorneys Association

Neutral:

Representing:

Summary of purpose and/or changes:

Legislative Bill 307 changes sentencing provisions for Class I, Class IA, or Class IB felonies when those convicted of the crime are under 18 years of age at the time the crime is committed. The changes include:

- Eliminates the possibility that someone convicted of committing a Class I or Class IA felony, who was under 18 years of age at the time of the commission of the crime, could be sentenced to life imprisonment without the possibility of parole;
 - One who commits a Class I or Class IA felony and is between the ages of 16 and 18 at the time of the criminal act, will
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be sentenced to 50 years to life imprisonment;

- One who commits a Class I or Class IA felony and is under the age of 16 at the time of the criminal act will be sentenced to 40 years to life imprisonment; and

- One who commits a Class IB felony and is under the age of 18 at the time of the criminal act will not receive a sentence that exceeds 40 years imprisonment.

Brad Ashford, Chairperson