

January 31, 1975

PRESIDENT: The chair recognizes Senator Luedtke.

SENATOR LUEDTKE: Mr. President, I move the adoption of the Committee amendments to LB 130, which are found on your Committee statement, Page 4, striking lines 2 and 3. The reason lines 2 and 3 were to be stricken is the fact that there is merely the statement that either party may appeal the judgment of the District to the Supreme Court and the amendment sets forth the specific procedure for that appeal which is on the basis of a "writ of error" and the sections are specifically set forth in the amendment, namely 292315.01-292316 which is the "writ of error" procedure for such appeal and it's merely a matter to straighten out within the statute itself what the appeal procedure is.

PRESIDENT: The question is shall the Committee amendments-- they are Committee amendments, are they, Senator Luedtke? Shall the Committee amendment to LB 130 be adopted. Record your vote. Would you re-record your vote, please? Record the vote, Mr. Clerk.

CLERK: 29 ayes, 0 nays, Mr. President, on motion to adopt.

PRESIDENT: The Committee amendments are adopted. The chair recognizes Senator Swigart.

SENATOR SWIGART: Mr. Chairman, if I could take just a second. I think we are about to adjourn. I want to make a little effort for frivolity for just a second.

PRESIDENT: I didn't--for what purpose again, Senator.

SENATOR SWIGART: I wanted to tell a joke.

PRESIDENT: Oh, my, it's about time we have one, Senator.

SENATOR SWIGART: I want to challenge Senator Murphy over there as king of humor here. I wanted to say that I'm so new and kind of feel lost here so much even on these routine matters, I feel a little bit like a priest that dropped in at the Administration Building over at Creighton University one day, and there had been a young girl student who had been going around trying to find out when Bastille Day was and she'd asked a half dozen people and when Father Miller dropped in through the front door she said, "Oh Father Miller, I'll bet you know when Bastille Day is. Is today Bastille Day." He hesitated a minute and he says, "I don't know. I've been out of town."

PRESIDENT: Senator Murphy, do you care to respond? Proceed, Senator Swigart.

SENATOR SWIGART: I think he is still king, but the Pages liked it. The purpose of this bill, LB 130, I thought I would mention the number again because I got a quite a ways away from it, is to allow city attorneys to appeal criminal cases from municipal courts to district courts and at present they can only appeal to the Supreme court and this bill also allows county attorneys to appeal from the county court to the district court instead of having to go to the Supreme court. This does have the emergency clause and it will, we think, lighten the load of the Supreme Court. Mr. Chairman, I move that LB 130 be advanced to E & R Initial.

PRESIDENT: The question is shall LB 130 as amended be advanced. Record your vote. Have you voted? Record, Mr. Clerk.