

March 24, 1975

SENATOR GOODRICH: If it's a particular offense. . .

SENATOR LUEDTKE: Yes, but it's not intended, nor was 620 ever intended to include traffic offenses as such.

SENATOR GOODRICH: I completely concur with you as far as what 620 originally was intended. It got goofed up and we got traffic cases over there which they've been ignoring every since. But that's the way they should have done it frankly. My only thought was that I can see, for example, a need for a provision if a child or a youngster, we'll say a juvenile, actually is doing something felonious with an automobile and creates a traffic offense during the course of that he then could and should go into traffic or juvenile rather.

SENATOR LUEDTKE: That would be different because . . .

SENATOR GOODRICH: I just want to be sure that the regular traffic offenses . . .

SENATOR LUEDTKE: Will not . . .

SENATOR GOODRICH: That's what I want to be sure the legislative intent is.

SENATOR LUEDTKE: That's right.

PRESIDENT: Senator Cavanaugh.

SENATOR CAVANAUGH: I have some questions, I guess, of Senator Barnett or Senator Luedtke.

SENATOR BARNETT: Well what kind are they.

SENATOR CAVANAUGH: Maybe I better ask Senator Luedtke. Senator Luedtke, on the transfer from district court to juvenile court. You change on page 2, you allow that the hearing at the time of arraignment, I assume that's the first time the issue of transfer would come up whether the case was going to be in the juvenile or the district court. You allow that the rules of evidence shall not pertain, and you seem to allow that they can go to the merits of the case. Is that what it does?

SENATOR LUEDTKE: Well the amendment provides strict rules of evidence shall not be applied at any dispositional hearing. Did you see that? That's in the amendment, Senator Cavanaugh.

SENATOR CAVANAUGH: That's page 12, but I'm talking about page 2 . . .

SENATOR LUEDTKE: Right. Alright page 2, go ahead, Section what - one?

SENATOR CAVANAUGH: Well yeah, the bottom . . . lines 22 to 27, then . . .

SENATOR LUEDTKE: Yes, that's right because of the fact that those are in the nature of preliminary hearings.