

April 21, 1975

able to use that against him. That's the very purpose of this thing. Judge Macken explained it very well at the hearing and we explained it when we were debating it.

SENATOR CAVANAUGH: Well, I would just say, in reply, that if that were the case, and first of all, it doesn't say it is going to be used in only very minor cases. If that were the case, I don't know why you would need an inadmissible clause in there. I think if you want to get at the problem of not prosecuting juveniles for trivial or minor things, you should do something with what they can be prosecuted for but here you are applying it to any case in Juvenile Court, potentially. You are allowing the defendant to come in and subject himself to process, probably enthusiastically, in order to get his case dismissed. I don't see any protection to avoid that situation arising and I would anticipate that it would arise. If I were the defense counsel, I would sure try and make it arise. I think the bill ought to be returned.

PRESIDENT: The question is, shall LB 542 be returned to Select File for specific amendment. Record your vote. Please stay in...we are still on Final Reading, Senators. Have you voted? Record.

CLERK: 18 ayes, 21 nays.

PRESIDENT: Motion fails. Please read the bill, Mr. Clerk.

(RECORDER TURNED OFF FOR FINAL READING: LB 542, LB 572, LB 588.)

PRESIDENT: We move immediately to Select File. LB 430. Senator Dworak.

SENATOR DWORAK: Mr. President, I move the adoption of the Enrollment and Review amendments to LB 430.

CLERK: Just a minute.

PRESIDENT: You have heard the motion. Just a moment.

CLERK: Mr. President, the E & R amendments have been adopted to LB 430 and the bill was laid over on April 17th. There is presently pending an amendment offered by Senator Barnett which is set out in full in the Legislative Journal. The amendment is found on Page 1320 of the Journal.

SENATOR CHAMBERS: Mr. President, Senator Barnett and I have discussed this bill. It is the one that I introduced to repeal the tax on food and he has agreed to allow an amendment I am going to offer to precede his and that would be the order these amendments should occur on the chance that mine might be accepted.

PRESIDENT: Do you have Senator Chambers amendment, Mr. Clerk?

CLERK: OK. I have two from him.

PRESIDENT: All right. Senator Barnett, you have heard the request of Senator Chambers. You have no objections? Read Senator Chambers amendment, please.