

TRANSCRIPT PREPARED BY THE CLERK OF THE LEGISLATURE  
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LB 882

SENATOR CHAMBERS: Okay. At the end of the line on page...of line 8, we have the word "violent", and in line 9 "crime", "convicted of a violent crime". Does that mean any crime, whether it's a felony or a misdemeanor?

SENATOR ENGEL: Well, my assumption, as a lay person, and not a legal person, that they would not qualify, this would qualify them as a violent felony, and incarceration work camp is for nonviolent felonies.

SENATOR CHAMBERS: Well, let me ask you this, are you looking at felony offenses, and I think Senator Bromm was touching on that? Should the word "felony" be inserted after "violent"? Or is it your intent that a violent misdemeanor, a misdemeanor involving violence would disqualify a person also?

SENATOR ENGEL: That's something I would have to talk to you and those other people that are in the legal profession to find out what is proper here. I can't tell you.

SENATOR CHAMBERS: No, no, I want to find out what your intent is, 'cause...

SENATOR ENGEL: The intention...my intention with the bill is nonviolent, first-time offenders.

SENATOR CHAMBERS: So if somebody committed a violent misdemeanor, or misdemeanor involving violence, that person would be disqualified from going into this program.

SENATOR ENGEL: That's my understanding,...

SENATOR CHAMBERS: Okay.

SENATOR ENGEL: ...because of the violence. I think the operative word in the whole thing is that particular word of "violent".

SENATOR CHAMBERS: So you would not want to put, in line 8, the word "felony" after "violent", because it doesn't matter whether the crime is a misdemeanor or a felony if it's violent?