

February 25, 1974

CLERK: Senator Whitney voting aye. 25 ayes, 24 not voting Mr. President.

PRESIDENT: The bill advances. Next bill is 738.

CLERK: LB 738 (read) Are committee amendments.

PRESIDENT: Senator Luedtke.

SENATOR LUEDTKE: Mr. President, I move the adoption of the committee amendments to LB 738. Mr. President and members of the Legislature, the amendments were brought in by Mr. Moylan for the County Officials Association, in which merely inserts the after the word County Clerk, the word County Treasurer, which was somehow was left out of Section 321044 and should be..this is really a corrective amendment and should be put back in there that word treasurer after county clerk.

PRESIDENT: Any discussion. We will take a voice vote. Those in favor of the committee amendments vote aye, those opposed vo te nay. The motion is adopted. What do we do with the bill Senator Luedtke.

SENATOR LUEDTKE: Mr. President, I move that LB 738 be advanced to E & R Initial as amended. The bill is simply takes care of the revising the wording as far as filling vacancies for County Judges. The wording as was in LB 1032 and it merely clarifies that the County Board shall appoint a replacement to preform the functions of the office until a permanent successor is duly appointed or elected as is now is provided for by law. Of course under the 1032.

PRESIDENT: Those in favor of advancing LB 738. Vote aye, those opposed vote nay. Senator Whitney voting aye. Have you all voted. Clerk will record.

CLERK: 27 ayes, 22 not voting.

PRESIDENT: LB 738 advances. The next bill is LB 828.

CLERK: LB 828 (read) There are committee amendments by Senator Luedtke's Judiciary committee.

PRESIDENT: Senator Luedtke.

SENATOR LUEDTKE: As soon as I find it I will... Well, Mr. President I move the adoption of the committee amendment to LB 828 is the Bail..deals with the Bail Reform measure which was brought out by the Judiciary Committee after a rather thorough interim study on the need for Bail Reform. And the amendment, if you note on page 7, that's line 2. When aailable defendant appears at any Judicial proceeding at which the defendants bail is being considered. The Judge that sets the proceedings will inform the defendant of the condition or conditions improved on such individuals release and the penalties for violating any of the conditions or any options or alternatives. This merely gives the alternative to the Judge to either allow this individual to still have bail or to be put out on his own recognizance or which is in the alternative in this bill a 10% bail plan, which I will explain when we get to the bill itself.