

March 21, 1979

LB 237, 241

the bill is to permit Judicial Selection Commissions to appoint a person outside of that particular judicial district so long as they live in Nebraska and otherwise fill the qualifications and that they become a resident of the district in which the court is located at least by the time of the appointment. This is particularly important in some areas of the state with a very small population where they sometimes have difficulty finding people who are willing to accept these appointments and this gives the commissioner some latitude to go statewide to find someone who is willing to move into the district to serve. I move that LB 237 be advanced to E & R initial.

SPEAKER MARVEL: All those in favor of the motion say aye, opposed no. Voting to advance the bill to E & R for review. Have you all voted? Record.

CLERK: 25 ayes, 0 nays on the motion to advance, Mr. President.

SPEAKER MARVEL: The motion is carried and the bill is advanced. Now we go to 241.

CLERK: (Read title to LB 241.) The bill was first read on January 11. It was referred to the Judiciary Committee. It was advanced to General File. There are committee amendments pending, Mr. President.

SPEAKER MARVEL: Do you want to deal with the committee amendments first, Senator Nichol?

SENATOR NICHOL: Yes, sir, Mr. Speaker. Just briefly, LB 241 allows county and municipal courts to appoint counsel for indigent defendants charged with felonies. The committee amendments add the municipal courts to the effective provision of the act. Thus, both the county court and the municipal court will be able to appoint counsel for indigent defendants. In certain situations the municipal court judges sit in preliminary hearings on felony matters just as the county court judges do. It is therefore necessary to include municipal court judges within the act. I move for the adoption of the committee amendments, Mr. Chairman.

SPEAKER MARVEL: The motion is the adoption of the committee amendments. All those in favor vote aye, opposed vote no. The committee amendments to LB 241. Have you all voted? Record, Mr. Clerk.

CLERK: 25 ayes, 0 nays on the adoption of the committee amendments, Mr. President.