

March 21, 1979

LB 373

in any criminal matters where the penalty does not exceed one year imprisonment in the county jail. The new Criminal Code has a provision that would permit misdemeanants to serve their sentence in institutions run by the Department of Corrections when the department certifies that it has facilities to handle the misdemeanants. This certification probably will not come into effect until after the new facilities have been opened. Removing these words removes any question of conflict as to whether the county court may so sentence a defendant to the county jail or the Department of Corrections. I move for the adoption of the committee amendment.

SPEAKER MARVEL: The motion is on the adoption of the committee amendments to LB 373. All those in favor vote aye, opposed vote no. Have you all voted? Have you all voted? The vote is on the committee amendments to LB 373. Record.

CLERK: 26 ayes, 0 nays on the adoption of the committee amendments.

SPEAKER MARVEL: The motion is carried. The committee amendments are adopted. Senator Nichol.

SENATOR NICHOL: Mr. Chairman, I move that LB 373 be advanced to E & R initial. This bill was brought to us by the state court administrator and is essentially a technically clean-up bill. Section 1 amends the general jurisdiction section for county courts to conform with existing laws of a juvenile court chapter of the statute. Section 2 and 4 deal with the establishment and abolishment of separate juvenile courts. These particular sections were never amended from the days when they essentially applied only to Douglas and Lancaster Counties. Now, you may establish a separate juvenile court by a vote of the people in any county of more than thirty thousand population. These sections make the juvenile court law applicable to all counties which establish separate juvenile courts. Section 3 strikes some unnecessary language with regard to court reporters. Since 1974 another section of the statutes, 24-342.02, has applied to court reports for both the district and separate juvenile courts. I move for the advancement of LB 373 to E & R initial.

SPEAKER MARVEL: The motion is to advance 373 to E & R for review. All those in favor vote aye, opposed vote no. Have you all voted? Record.