

March 21, 1979

LB 315

SPEAKER MARVEL: The motion is on the adoption of the committee amendments to 315. All those in favor vote aye, opposed vote no. Have you all voted? Record.

CLERK: 25 ayes, 0 nays, Mr. President, on the motion to adopt the committee amendments.

SPEAKER MARVEL: The motion is carried and the amendments are adopted. Senator Landis, do you wish to speak to the bill as a whole?

SENATOR LANDIS: I do, Mr. Speaker. Just a brief explanation of the purpose of LB 315. This bill was brought to me by the City of Lincoln. They have at the present time, a maximum security unit that has a maximum housing of one hundred thirty inmates or residents or clients, depending on what kind of term you want to use for it. They experience overcrowding three to four months a year. They also at the present time have to utilize that facility for the incarceration of juveniles. The City of Lincoln in a study of its needs in this area has been told by a consultant that they should consider the erection of a halfway house or a community center designed to allow a corrections department to administer a house of supervision but that is not the full maximum security unit that they have now. The city is unwilling to undertake the project without specific statutory language because they fear the potential of liability problems if they act absent statutory language that authorizes them to do so. If you will look at LB 315 you will notice that the first section is an amendment to the statutes dealing with primary class cities. It is a grant of authority to allow them to erect a residential center or a work release center or a halfway house designed to be a minimum security unit. Sections 2, 3, and 4 harmonize that grant of authority with other sections of law. For example, the designation of what is a city jail in chapter forty seven, article 2 and the authority of the chiefs of police and like people to sentence and administer jail facilities and the like. So the essential aspect of the bill is contained in section 2. It is a grant of authority to primary class cities to operate a halfway house and the City of Lincoln wishes to undertake that and is asking the Legislature for permission to do so. I just want to leave one statement with the Legislature as they consider the merits of the bill. It comes from the President's Commission on law enforcement and administration of justice in a lengthy report called the Task Force Report on Corrections. In speaking of residential centers of halfway houses like this bill authorizes for Lincoln, that national