

January 16, 1980

LB 319, 572

SPEAKER MARVEL: The motion is passed and the amendment is adopted. Now, Senator Nichol, do you want to renew your motion to advance?

SENATOR NICHOL: I move that LB 572 be advanced to E & R Initial.

SPEAKER MARVEL: The motion is to advance the bill as amended. All those in favor vote aye, opposed no. Record the vote.

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

SPEAKER MARVEL: The motion is carried. The bill is advanced. Senator Schmit, are you ready to take up 319?

SENATOR SCHMIT: Yes, I am, Mr. President.

CLERK: Mr. President, LB 319 was offered by Senator Loran Schmit of the 23rd. (Read title.) The bill was read on January 16, 1979. It was referred to the Judiciary Committee. It was advanced to General File with committee amendments. It was considered by the body on April 12 of last year. The committee amendments are still pending, Mr. President.

SPEAKER MARVEL: Senator Nichol, do you wish to speak to the Judiciary Committee amendments to LB 319?

SENATOR NICHOL: If you will give me a minute, sir. Mr. Chairman and members of the Legislature, the amendments to LB 319 were proposed by the Department of Correctional Services. To help clarify the mechanics of the bill these amendments do basically four things. First, it provides that the work day should be eight hours for inmates. Secondly, it amends 81-1828 to follow the intent of the legislation making farm operations permissive instead of mandatory by the Department of Correctional Services. Three, it removes the restriction that printed material must be used for institutional use only, and four, it clarifies provisions relating to inmates that work for other state agencies or private businesses. Mr. Chairman, I move for the adoption of the committee amendments. The Attorney General gave us an opinion on this as I recall on page 1800 of last year's book, which challenged the constitutionality of Section 7, subsection 3, which deducts from wages twenty-five percent to seventy-five percent for restitution of subsection 4 and subsection 6 which might be overly broad.

SPEAKER MARVEL: The motion is the adoption of the Judiciary Committee amendments to LB 319. Senator Dworak, your light