

February 8, 1980

LB 733, 857

SPEAKER MARVEL: The committee amendments are adopted.  
Senator Vickers.

SENATOR VICKERS: I move the advancement of the...LB 857  
as amended.

SPEAKER MARVEL: Any further discussion on the motion to  
advance? All in favor of advancement of 857 to E & R for  
Review vote aye, opposed no. Have you all voted? Record.

CLERK: 29 ayes, 0 nays, Mr. President, on the motion to  
advance.

SPEAKER MARVEL: The motion carried. The bill is advanced.  
The next bill, 733.

CLERK: Mr. President, LB 733 was introduced by Senator Koch.  
(Read title to LB 733.) The bill was read on January 14.  
It was referred to the Judiciary Committee for public hear-  
ing. I have pending, Mr. President, committee amendments  
by Senator Nichol's Judiciary Committee.

SENATOR NICHOL: Mr. Chairman and members of the Legis-  
lature, the committee amendments do four things. First,  
as originally presented to the committee, LB 733 would  
allow people 65 years of age or older to be excused from  
jury duty upon showing to the court that they are 65 years  
of age or older. It was suggested at the public hearing  
that this age be raised to 70 and the committee agreed.  
70 years of age corresponds to the recent legislation on  
mandatory retirement age. Now let me say here that Senator  
Koch has an amendment up there to repeal this first amend-  
ment, but it was agreed between Senator Koch and me that  
we would attempt to adopt all four amendments and then take  
his amendment and attempt to repeal the first amendment to  
which I have just spoken. Secondly, it was brought to the  
committee's attention by District Judge Ronald Reagan that  
the jury bill passed last year removed the procedures in  
which petit jurors were selected. Removing these sections  
left the court without guidelines as to how petit jurors  
should be selected. Committee amendments 5, 6 and 7 re-  
instate this procedure. Thirdly, it was also brought to  
the committee's attention that smaller counties could have  
potential difficulty in finding jurors under the current  
wording of the statute. Under current law a juror's term  
of service is over if the juror is required to serve or  
be available to serve on a jury. The committee amendment  
will strike the words "or be available to serve". In many  
cases jury is ready to serve, however, the case will be