

May 26, 1981

LB 172, 411

SENATOR BEYER: Mr. Speaker and colleagues I certainly support Senator Carsten's amendment. It would be a tremendous help to a lot of the carriers that are on computers and that run their purchases through on a monthly basis in reporting. Smaller carriers would benefit more by the quarterly reporting, but the larger ones would be better off and I would certainly support it. Thank you.

SENATOR CLARK: Is there any other discussion on the Carsten amendment? If not, all those in favor vote aye, opposed vote nay. Record the vote.

CLERK: 25 ayes, 0 nays, Mr. President, on the adoption of Senator Carsten's amendment.

SENATOR CLARK: The Carsten amendment is adopted.

CLERK: Nothing further on the bill, Mr. President.

SENATOR CLARK: Senator Carsten.

SENATOR CARSTEN: I move the advancement of 172 as amended.

SENATOR CLARK: You heard the motion, all in favor say aye, opposed nay. It is advanced. LB 411. The one we have been looking for. Is someone going to handle Sieck's amendment on this bill? Senator Hoagland.

CLERK: Mr. President, LB 411 was on Final Reading. On Final Reading Senator Sieck made a motion to return the bill for a specific amendment. That specific amendment is found on page 1982 of the Journal.

SENATOR CLARK: Senator Hoagland.

SENATOR LANDIS: Mr. Speaker, members of the Legislature, I'm going to take for Senator Hoagland while we prepare an amendment to this bill. LB 411 was introduced by Senator sieck and has to do with interlocutory appeals in criminal procedures. The amendment that is offered appears in the Journal on page 1982, and in essence strikes references to the use of this procedure by defendants. The reason being defendants have at the end of a trial the opportunity to appeal all of the evidentiary matters in the trial. It is only necessary really for prosecutors to have immediate appeals when a judge has ruled against their motion to allow certain evidence. If a judge has ruled that they can not allow that evidence, it's possible there would be a serious flaw in the prosecutions case. They need this