

**ONE HUNDRED THIRD LEGISLATURE - FIRST SESSION - 2013**  
**COMMITTEE STATEMENT**  
**LB313**

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**Hearing Date:** Thursday February 07, 2013  
**Committee On:** Judiciary  
**Introducer:** Christensen  
**One Liner:** Change provisions relating to incarceration work camps

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**Roll Call Vote - Final Committee Action:**  
Advanced to General File

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**Vote Results:**

<b>Aye:</b>	6	Senators Ashford, Christensen, Coash, Davis, Lathrop, Seiler
<b>Nay:</b>		
<b>Absent:</b>	2	Senators Chambers, McGill
<b>Present Not Voting:</b>		

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**Proponents:**  
SEN. MARK CHRISTENSEN  
BOB HOUSTON

**Representing:**  
INTRODUCER  
NE DEPARTMENT OF CORRECTIONS

**Opponents:**  
KATIE ZULKOSKI

**Representing:**  
NE STATE BAR

**Neutral:**  
DEBORAH MINDARDI

**Representing:**  
NE SUPREME COURT

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**Summary of purpose and/or changes:**

LB 313 would amend sections 29-2262, 83-4,142 and 83-4,143, while also "repealing" 83-4,144, 83-4,145, and 83-4,146 of the Nebraska Revised Statutes in the following manner:

Section 1. Amends 29-2262 (2) by striking subsection (q) which provision allows a court to include as a condition of a sentence, "successfully completing an incarceration work camp program" as determined by the Department of Corrections.

Section 2. Amends 83-4,142 to strike the requirement that the Department of Corrections develop programming for intensive supervision probation as a transitional phase prior to an inmates release on parole.

Section 3. Amends 83-4,143 in the following manner:

Amends subsection (1), by striking the legislative intent providing that courts consider sentencing felons who need intensive supervision probation to the incarceration work camp (work ethic camp);

Strikes subsection 2, remove the placement of an offender by the court at the work ethic camp for "brief and intensive period of regimented structured discipline";

Strikes subsection 3, The legislative intent for the Board of Parole to recommend placement of felony offenders at the incarceration work camp;

Amends subsection 4, by removing the provision that the Board of Parole should consider utilizing the work ethic camp as a transition facility before placing an inmate who is under the supervision of the Department of Corrections on parole; This subsection would retain prohibition on sending any inmate convicted of a crime under sections 28-319 to 28-322.04 or of any capital crime from placement at the work ethic camp; and

Strikes subsection 5, which provides that the Director of Corrections may assign a felony offender to the work ethic camp if the director believes it is in the best interest of the "offender" and "society."

Section 4. Outright repeals sections 83-4,144 (Sentencing court; powers; release on parole.), 83-4,145 (Failure to complete program; effect.), and 83-4,146 (Costs.) of the Nebraska Revised Statutes.

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Brad Ashford, Chairperson