

March 20, 1973

(Start Belt #11)

this 43A is the A bill for the bill that we advanced off of general file last week on Thursday, we moved it off the select file this morning. It actually appropriates the money to pay for the tuition for the wards of the State and the wards of the court that are in these homes in various parts of the State. I would move the bill be advanced to E&R initial.

PRESIDENT: Any further discussion of L.B. 43A? Question is shall L.B. 43A be advanced from general file to E&R initial. All those in favor vote aye. All those opposed vote no. Have you all voted? Clerk will record.

CLERK: 30 ayes, 1 nay, 18 not voting, Mr. President.

PRESIDENT: The bill is advanced. This brings up for general file consideration L.B. 25.

CLERK: Mr. President, L.B. 25 was considered on March 15th, the title was read, there were no committee amendments. There are pending some amendments by Senator Cal Carsten. These amendments were adopted on March 16th. There are no further amendments on the bill.

PRESIDENT: We're back to L.B. 25 then as amended. Senator Cal Carsten:

SENATOR CARSTEN: Mr. President and Members of the Legislature, when we considered this bill the other day, Senator Carpenter had raised a question to me of whether it wouldn't be more advisable to make this bill mandatory rather than permissive and I promised him that I would make some inquiries relative to this and bring back an answer. I, I did contact the student who had asked me to introduce this bill. I also contacted a couple of judges who have had experience in this field and they all preferred that it be left to a permissive bill. They felt that the cases varied from time to time and they would like to have it left in the judgment of the judge.

PRESIDENT: Is there any further--

SENATOR CARSTEN: I, I would move the bill be advanced, Mr. President.

PRESIDENT: Is there any further discussion of L.B. 25? Senator Syas, do you wish to be heard on L.B. 25? Senator Luedtke?

SENATOR LUEDTKE: Mr. President, I'd like to ask Senator Carsten to yield to a question?

PRESIDENT: Senator Carsten, will you yield?

SENATOR CARSTEN: Yes sir.

SENATOR LUEDTKE: Senator Carsten, you said that the judges wanted it left, the judges wanted it left permissive. Did you also ask those judges if they could do something similar under probation today?

SENATOR CARSTEN: I didn't ask them that, Senator Luedtke, but I believe that they do in some areas, yes.

SENATOR LUEDTKE: Well, that's my specific question to you is if they can do it without passage of a specific bill, in other