

SENATOR STONEY: Senator Cullan, that's one of the objections that was expressed by Judge Ryan, I believe, that appeared before our committee. His concern was that this might become a possibility and I think that when the committee further deliberated, we felt that on line 6 where the language says that a judge of a county court or a municipal court be reasonably available on call. This would provide the latitude so that the judges themselves could select those periods of time they wish to be available to set such bail.

SENATOR CULLAN: Thank you very much, Senator Stoney. I just thought it was important to bring out this point and that the intent of the Legislature in this particular area. I think it's a reasonable bill and I would urge the Legislature to support it.

PRESIDENT: Senator Mills.

SENATOR MILLS: Question of Senator Stoney. Senator Stoney, this only applies in counties of 150,000 or more. What happens in those counties less than that?

SENATOR STONEY: Senator Mills, at the present time it does not include Lancaster County which is 150,000. We've amended it so that it pertains only to Douglas County. The problem is we have not felt or received information that it is a distinct problem in other counties in Nebraska.

SENATOR MILLS: I have a question, Senator Stoney. Because probably some of the biggest drug arrests in the state, you mentioned the one in Omaha of course, but a lot of them... I know one that happened in Keith County not too long ago that there was over a million dollars worth of heroin in that arrest. Now how would that affect that particular county had that happened on the weekend?

SENATOR STONEY: Had it happened on a weekend, it's a possibility that the judges there have already provided that they will be available to post bond. In many of these counties they only have one judge. In our county we have nine and they haven't established such a system, so I would assume if you have heard nothing to the contrary that the judge in Keith County does make himself available to post bond for these individuals should they be arrested on a weekend.

SENATOR MILLS: If he were out of town, then what would happen?

SENATOR STONEY: If he were out of town, I would imagine that that individual would have to spend the remainder of the weekend in jail.

SENATOR MILLS: But you're trying to get them out of jail easier?

SENATOR STONEY: No, I think it's a constitutional right that an individual be released on bail. All we're attempting to do is to establish a uniform or a routine plan so that no discriminatory practices are utilized.

SENATOR MILLS: Those hard drug dealers can be facilitated in moving...thank you.

PRESIDENT: Where do we stand now, senators?