

SPEAKER LUEDTKE: Senator Cullan.

SENATOR CULLAN: I hate to rise again on this bill, but I wish to emphasize something Senator Barnett just suggested, and that is that the Judiciary Committee felt that this was an integral part of the bill. I'm sure that the bill would be opposed if the amendment is not adopted.

SPEAKER LUEDTKE: Senator Simon, did you wish to speak again on this? Your light is still on.

SENATOR SIMON: Just a matter of clarification. If you don't pass the bill you'll have the same thing in that I'm requesting anyway. So it doesn't hurt me a bit. The wording is "shall". I offered some amendments to the bill. The whole purpose of the bill was just for clarification. Now if you don't want to accept the bill, you don't want to clarify it, then that is a problem you're going to have in the courts in Omaha, misdemeanors are going to be thrown out because they haven't got time to put all of them in district court. But the Committee has decided, in its wisdom, that they wanted to attack something else which was different than the intent of the bill, they wanted to get into a different Section and change "shall" to "may". Like I said I'm not adamant about it. I'm not going to lose any blood over it, Senator Barnett. But if you kill the bill it's going to be right back the way that I'm advocating it anyway.

SPEAKER LUEDTKE: Senator Stoney, you may close by way of reply.

SENATOR STONEY: Mr. President, members of the Legislature. I think that the reasons for making this slight change are obvious. I won't belabor the point. I think that the judge, in his discretion, should have the latitude to decide whether or not such a penalty should be imposed. If we go with the bill the way it is at the present time, he has no discretion whatsoever.

SPEAKER LUEDTKE: The motion is to adopt the Stoney amendment to LB 196. All in favor vote aye, opposed nay. Record the vote.

CLERK: 27 ayes, 1 nay.

SPEAKER LUEDTKE: The Stoney amendment is adopted.

CLERK: Now, Mr. President, there is a request by Senator Chambers, unanimous consent to bracket till April 6th. Signed Senator Chambers.

SPEAKER LUEDTKE: Is there an objection? Senator Newell, you object? Senator Chambers, do you want to move then.

SENATOR CHAMBERS: I move that it be bracketed.

SPEAKER LUEDTKE: Senator Chambers then moves to bracket until April 6th. Any discussion on the bracketing motion by Senator Chambers? Senator Newell withdraws his objection. Senator Chambers withdraws his motion, and the Chair so orders that it is bracketed until April 6th. We will now go back to LB 494, for the Frank Lewis motion to indefinitely postpone. Chair recognizes Senator Frank Lewis.