

April 27, 1979

LB 569, 149

CLERK: 26 ayes, 0 nays.

SPEAKER MARVEL: The Wesely amendment is adopted and now are you ready to advance the bill? So move.

SENATOR NEWELL: So move.

SPEAKER MARVEL: All in favor of the advancement of LB 569 to E & R for review vote aye, opposed vote no. Have you all voted? Record.

CLERK: 28 ayes, 0 nays, Mr. President.

SPEAKER MARVEL: Okay, LB 149.

CLERK: Mr. President, LB 149. Title read. The bill was read on January 9. It was referred to the Judiciary Committee. The bill was advanced to General File. There are committee amendments pending.

SPEAKER MARVEL: Senator Stoney.

SENATOR STONEY: Mr. Speaker, and members of the Legislature, I would like to take the two committee amendments which are technical in nature. LB 149 is essentially technical in nature and it's needed to correspond certain current penalty provisions with those new provisions in the criminal code which we enacted last year. LB 149 would also clarify certain procedures regarding needed penalty changes also required by the new criminal code. The first amendment deals with driving on a suspended license. The current provision reads that as part of the conviction the person shall be ordered not to operate a motor vehicle from the date of his final discharge from county jail. The new provisions in the criminal code contain no mandatory jail sentence for driving on a suspended license. Therefore, that language had to be changed to make the date of such suspension begin either with the date of discharge from county jail or from the date of payment or satisfaction of that fine. The second amendment is to correspond the criminal code classification with those penalty provisions dealing with illegal operation of snowmobiles. These provisions were not changed by the enactment of the criminal code as several of these provisions were not inserted prior to the code passage. These penalty provisions would provide that a person convicted of the illegal operation of a snowmobile would be guilty of a Class III misdemeanor, and if convicted of a second or subsequent offense within a one year period of time, guilty then of a Class II misdemeanor.