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FLOOR DEBATE

April 5, 2004            LB 391

committee amendment. The rights and responsibilities of the juvenile code do not extend beyond the age of majority. Because lowering the age of majority will affect some individuals who are still in school, an exception is included in this amendment for children who turn 18 while they are yet completing their secondary education. In such instances where a child has attained the age of 18 but has not yet reached 19 years of age, the provisions of the juvenile code would apply until such individual completes their secondary education. Currently, minors do not have the capacity to contract outside of those items deemed necessities--that's a legal term of art--necessaries under common law. Lowering the age majority will afford 18-year-olds the ability to engage in contractual relationships, such as serving as a resident agent for out-of-state suppliers, being granted a power of attorney for health care decisions, and organizing a credit union, as examples. Eligibility for jury service would extend to 18-year-olds under this amendment. The ability to execute a health care directive for end-of-life care is dependent upon reaching the age of majority. Age is one criterion for eligibility for elective office. Similarly, age is one element of qualification for licensure for numerous occupations, including that of being a real estate appraiser, a massage therapist, a notary public, and to participate in truth and deception examinations. However, there are ages, established areas of our law and our statutes which establish an age for qualification as a precondition, and that's a matter of policy. Some policy decision has been made. In those instances, your Judiciary Committee endeavored not to alter those public policy decisions. Examples would be eligibility to play the lottery. That would remain at age 19, unless the body specified otherwise. The calculation of state aid to schools, 19-year-olds would still be included. And the legal consumption of alcohol, previously determined to be at age 21, would remain at age 21. That is a summary of the committee amendment. Again, the blue handout lists every single section of the 57 statutes that have been affected by the committee amendment, pursuant to the results of the interim study. Your Judiciary Committee advanced LB 391 on a 5-1, 1 not voting, and 1 absent vote, and I urge the adoption of the committee amendment and the advancement of the bill. Thank you.