



Hundredth Legislature - Second Session - 2008
Committee Statement
LB 15

Hearing Date: January 17, 2007
Committee On: Judiciary

Introducer(s): (Mines)
Title: Include parks as a prohibited area for controlled substances

Roll Call Vote – Final Committee Action:

- Advanced to General File
 - Advanced to General File with Amendments
 - X Indefinitely Postponed
-

Vote Results:

5	Yes	Sen. Ashford, Sen. McGill, Sen. Pirsch, Sen. Pedersen, Sen. Schimek
	No	
	Present, not voting	
3	Absent	Sen. Lathrop, Sen. Chambers, Sen. McDonald

Proponents:
Sen. Mines

Representing:
Introducer

Opponents:

Representing:

Neutral:

Representing:

Summary of purpose and/or changes:

In 2002, the Nebraska legislature held a special session to address Nebraska’s capital sentencing scheme in light of the US Supreme Court decision in Ring v. Arizona. During that special session, language was adopted to clarify that the current penalty for Class I and Class IB felonies when the death penalty is not utilized is life imprisonment without parole. In 2004, the Nebraska Supreme Court, in the case of State v. Conover, struck down the “without parole” language added by the legislature during the special session, claiming that it was outside the scope of the Governor’s call, which related only to the Ring v. Arizona decision, and was therefore void. LB 215 strikes the phrase “without parole” everywhere it was inserted during the 2002 special session and readopts the same language during the regular session where the legislature’s plenary authority will allow it to do so.

Principal Introducer:

Explanation of amendments, if any:

Senator Brad Ashford, Chairperson