

January 11, 1980

LB 409

SENATOR HABERMAN: Senator DeCamp, thank you very much because I didn't want to have to shoot my pony. I have got to go home this weekend.

SENATOR DeCAMP: Hey, listen, you didn't kill that pony last year either.

SPEAKER MARVEL: We are proceeding to LB 254. It is Senator Venditte's bill. Senator Landis, is your light on? Senator Reutzel, do you want to pass over LB 552? Senator Burrows, LB 465 is the next bill. What is your pleasure?

SENATOR BURROWS: I prefer to pass over it this afternoon.

SPEAKER MARVEL: Okay. Senator Fitzgerald, what would you like to do with LB 361?

SENATOR FITZGERALD: Mr. Chairman, we have three other, four, proposals. I just met with the committee and we are going to have a meeting Monday. I would like to pass over it today.

SPEAKER MARVEL: Senator Johnson, LB 409.

CLERK: Mr. President, LB 409, read title. The bill was first read on January 17. It was referred to the Judiciary Committee for public hearing. The bill was advanced to General File by Senator Nichol's Judiciary Committee. There are committee amendments pending, Mr. President.

SPEAKER MARVEL: Senator Nichol.

SENATOR NICHOL: Mr. Chairman, members of the Legislature, as Senator Johnson will explain, this bill is designed to remove a superfluous preliminary hearing to determine the validity of allegations of probation violation of a juvenile offender. This bill would strike the requirement for such preliminary hearings. It was brought to the attention of the committee by representatives of the County Attorney's Association that a preliminary hearing might be necessary in a case where the juvenile has been incarcerated or is in custody. To remove any possible unconstitutionality, a child who is in custody will have the additional procedure of preliminary hearing on these charges of probation violation. I move for the adoption of the committee amendments or the committee amendment.

SPEAKER MARVEL: The motion is the adoption of the committee amendments to LB 409. Senator Haberman.