

March 6, 1981

LB 174

Number four says it repeals the requirement for posting jail rules in the facilities. I couldn't find it in the bill any place, but if you will notice on the Section 4, the repealer's section, 47-103 is repealed. 47-103 says that the sheriffs shall immediately upon receipt of the rules cause a copy thereof to be posted up and contained in some conspicuous place in every room or cell of the jail. These copies of the rules are rules governing the operation of the jail set down by the district court, by the judges of the district court. Now he is not repealing the other sections where the judges do make those regulations and rules. It seems to me that if we are going to have regulations and rules on the operations of jail facilities that the copies of those rules and regulations should be available to those people in those facilities so that they understand and know what the regulations and rules are. It should be either repeal all of the sections dealing with rules and regulations or repeal none of them. Now since I don't believe it is the intent of anyone to do away with the judges of the district courts ability to set rules and regulations for the jails, then it seems to me that the rules and regulations should continue to be posted in the jail itself. I would urge the body's adoption of this amendment to remove that portion from LB 174.

SENATOR CLARK: Is there any discussion on the Vickers amendment to 174? Senator Fenger.

SENATOR FENGER: Mr. Speaker, I rise in support of the amendment as proposed and thank Senator Vickers for doing something that I, perhaps, should have done myself.

SENATOR CLARK: Any other discussion? If not, the question before the House is the adoption of the Vickers amendment. All those in favor vote aye, opposed no. Voting aye.

CLERK: Senator Clark voting aye.

SENATOR CLARK: Have you all voted? Record the vote.

CLERK: 28 ayes, 0 nays on the motion to adopt the amendment, Mr. President.

SENATOR CLARK: Motion carried. The amendment is adopted. Do you have any more motions on the bill?

CLERK: I have nothing further on the bill, Mr. President.

SENATOR CLARK: Senator Fenger, what do you wish to do with the bill?