

January 8, 1982

LB 465

will be at Ease temporarily. Five minutes.

EASE

CLERK: Mr. President, Senator Wagner and Landis would move to rerefer the amended LB 465 to the Judiciary Committee for a public hearing.

SPEAKER MARVEL: Now we are speaking to that issue and Senator Wesely, do you wish to be recognized? Your light is on. Senator Landis, do you want to proceed?

SENATOR LANDIS: I do, Mr. Speaker. I would like to draw the body's attention to a rule that appears on page 38 and I think underlines an essential practice by giving the Speaker the power to refer a bill back to committee. Of course, this body as a whole has that same power and in discussion with the introducer of the amendment and with the Speaker I volunteered to make this a motion that Senator Wagner and I have co-sponsored asking for a return of the now amended LB 465 for a public hearing. If you will take a look in your green copy, the bill that came out of the Judiciary Committee was of a narrow range talking about the use of good time and consecutive sentences. The amendments we just adopted create four new crimes. In some cases those crimes existed in the previous criminal code three years ago but they certainly weren't in LB 465 and an amendment of that substantive a change should have a public hearing. The precedent for this is common. I would refer most recently to an example just yesterday when Senator Newell offered major amendments to LB 359 on the sanitary improvement district law and rather than asking the body to vote on those amendments on General File, the Urban Affairs Committee volunteered to have a public hearing on those amendments and to refer the issue then back to the body as a whole. It seems to me that if you are going to make substantive changes in law, an essential principle of our procedure is that a public hearing be available for public comment and without prejudicing our intentions on this bill we need to observe that standard. For that reason, I hope the body will refer LB 465 as it is now amended for a public hearing.

SPEAKER MARVEL: Okay, the motion before the House is to refer the bill to the Judiciary Committee. Okay, Senator Wesely, do you wish to be recognized? Your light was on before.

SENATOR WESELY: Yes. Mr. Speaker and members of the Legislature, I would like to stand in support of this motion.

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