

February 17, 1982

LB 717

SENATOR DeCAMP: Mr. President and members of the Legislature, I tried to be real straight and explain the background of the situation and I would like to ask anybody in the room, any Senator, particularly Senator Nichol since he is Chairman of the Judiciary Committee, one final question just for the record. Is the Grand Island Training Center, is it a part officially under our laws of any court or any court system of the state? In other words, does it actually get its funding through the court? I mean it isn't, is it? So it is...okay, I just wanted to clarify that. I have a case I would like to recite to you. You might check maybe sometime in your spare time and I am going to vote to advance the bill, by the way. The case is a 19...oh, it is about a year or two ago, it doesn't even have it on the front...the case is in the Supreme Court of Nebraska and it is John W. DeCamp, plaintiff, versus City of Lincoln, Nebraska. It has to do with this specific issue on parking meter fines and so on and so forth and the first thing they had to do in that case was establish that there was a court involved and I will read you Proposition I: "The Lincoln Municipal Court is a duly constituted court of record and collects court costs in addition to fines and penalties, so on and so forth. Court costs assessed against the defendant as reimbursement for costs incurred by the court are not a part of the fine or penalty." And all I am trying to do is establish for you that I think maybe it is time we face up to the whole big problem of how we are going to use court costs now and in the future and I think this is the bill to do it and that is why I am going to vote to advance it, keep it alive for now, because I think it will raise the issue. I also would offer the speculation that maybe out of this bill might...this little bill might grow a mountain, that mountain being how we finance the training center if you lose the first dollar and I think that is a legitimate question you might be faced with before too long.

SENATOR CLARK: The question before the House is the advancement of LB 717. All those in favor vote aye, opposed vote nay.

CLERK: Senator Clark voting yes.

SENATOR CLARK: Record the vote.

CLERK: 27 ayes, 8 nays, Mr. President, on the motion to advance the bill.

SENATOR CLARK: The bill is advanced. The next bill will be 669, no 634, pardon me. The Clerk wants to read in first.