

TRANSCRIPT PREPARED BY THE CLERK OF THE LEGISLATURE  
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FLOOR DEBATE

February 4, 2003 LB 21, 22

on LB 21.

SENATOR BRASHEAR: Mr. Speaker, thank you. Members of the body, LB 21 clarifies archaic language in Nebraska Revised Statute 29-504, originally adopted in 1873. The statute contains the somewhat awkward phrasing, directing the magistrate to, quote, proceed as soon as may be in the presence of the accused to inquire into the complaint, end quote. LB 21 changes the language, directing the magistrate to proceed as soon as practical under the circumstances. The outdated phrase is replaced and the statute clarified with the needed contemporary language. The bill was advanced unanimously by your Judiciary Committee members present. I ask for the adoption...or the advancement of the bill, please.

SPEAKER BROMM: Thank you, Senator Brashear. Any persons wishing to discuss LB 21? Did you say there were any committee amendments, Mr. Clerk? Mr. Clerk? Thank you. There are no amendments. Any others wishing to address the bill? I see none. Senator Brashear, you're recognized to close. He waives closing. The question then is the advancement of LB 21. All in favor please vote aye, and opposed vote nay. Please record.

CLERK: 30 ayes, 0 nays, Mr. President, on the advancement of LB 21.

SPEAKER BROMM: LB 21 advances. Next item, Mr. Clerk.

CLERK: LB 22, Mr. President, introduced by Senator Brashear. (Read title.) Bill was introduced on January 9, referred to the Judiciary Committee, advanced to General File. I have no amendments at this time, Mr. President.

SPEAKER BROMM: Thank you, Mr. Clerk. Senator Brashear, to open on LB 22.

SENATOR BRASHEAR: Thank you, Mr. Speaker. Members of the body, LB 22 inserts unintentionally omitted language pertaining to the crime of criminal attempt into the statute. Criminal attempt is defined at Nebraska Revised Statutes 28-201. The penalty section of the statute provides that criminal attempt is a crime when