

TRANSCRIPT PREPARED BY THE CLERK OF THE LEGISLATURE
Transcriber's Office
FLOOR DEBATE

March 26, 2003 LB 46

constitutionally in the state of Nebraska, we have created a voting and a nonvoting advisory section of the council. The voting members of the council would be the executive director of the Crime Commission, the director of Correctional Services, the Board of Parole chairperson, the Parole Administrator, a representative from the Criminal Defense Attorneys Association, a representative from the County Attorneys Association, and a representative of a law enforcement agency. The nonvoting members, the nonvoting and advisory members of the council under the amendment would include the State Court Administrator, the Probation Administrator, two members of the Legislature, and two judges of the district courts.

SPEAKER BROMM: Time. Thank you, Senator Brashear. Senator Dwite Pedersen.

SENATOR Dw. PEDERSEN: Thank you, Mr. Speaker. I'll give my time to Senator Brashear.

SPEAKER BROMM: Senator Brashear.

SENATOR BRASHEAR: Thank you again and again, Senator Dwite Pedersen. Mr. Speaker, members of the body, the inflection in my voice would have inferred that I had completed the listing of the nonvoting advisory members of the council, but I had not. It would also include a mental health and substance abuse professional, and three providers of community-based behavioral health services, one from each of the congressional districts in our state. Instead, under the committee amendment, instead of the Supreme Court developing sentencing guidelines, the amendment provides that the council would develop and recommend the sentencing guidelines to the Supreme Court. Finally, the committee amendment specifies that the Governor may declare an overwhelming emergency, instead of requiring the Governor to declare such an emergency under the Correctional System Overcrowding Emergency Act. This committee amendment has come to you by a unanimous vote of those present from your Judiciary Committee. I urge the adoption of the amendment and the advancement of LB 46. And, Mr. Speaker, if I may, I would return the balance of the time to Senator Dwite Pedersen.