

TRANSCRIPT PREPARED BY THE CLERK OF THE LEGISLATURE  
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FLOOR DEBATE

March 8, 2005

LB 363, 402

criminal attempt, but rather corrects an unintentional error. LB 363 was advanced by the Judiciary Committee on a 7 to 0 vote. And I would urge your support of this measure as well. Thank you.

SENATOR CUDABACK: Thank you, Senator Bourne. You've heard the opening on the advancement of LB 363. Open for discussion on that motion. Senator Bourne, there are no senators wishing to speak. He waives closing. The question before the body is, shall LB 363 advance to E & R Initial? All in favor vote aye; opposed, nay. We're voting on the advancement of LB 363. Record please, Mr. Clerk.

CLERK: 36 ayes, 0 nays, Mr. President, on the advancement of LB 363.

SENATOR CUDABACK: LB 363 does advance. Mr. Clerk, LB 402.

CLERK: LB 402, introduced by Senator Fischer. (Read title.) Introduced on January 12, referred to Judiciary, advanced to General File. I have no amendments to the bill, Mr. President.

SENATOR CUDABACK: Thank you, Mr. Clerk. Senator Fischer, to open on advancement of LB 402.

SENATOR FISCHER: Thank you, Mr. President and members of the body. LB 402 will change the requirements for updating master jury lists for counties with a population of 3,000 or less. In 2003, the final report of the Nebraska Minority and Justice Task Force contained a recommendation that counties refresh their jury pools annually to assure adequate representation of the population. Related legislation, LB 19, was adopted that year. Under current law, counties are required to update their jury list every year, regardless of the number of jury trials in the county. LB 402 would require counties with a population of less than 3,000 to refresh their jury pool every two years rather than annually. The new language would apply to the state's smallest 21 counties. Nine of these counties are in the 43rd District. The figure of 3,000 was used because that is what the Nebraska Supreme Court agreed to. Counties with a shifting population would generally be excluded from the