

April 28, 1981

LB 213

SPEAKER MARVEL: Okay, the next bill, the next and last bill for today, LB 213.

CLERK: Mr. President, LB 213 was introduced by Senators Carol Pirsch, Peter Hoagland, Elroy Hefner and Sam Cullan. (Read title.) The bill was first read on January 15, referred to Judiciary for a hearing. The bill was advanced to General File. There are committee amendments pending by the Judiciary Committee, Mr. President.

SPEAKER MARVEL: Senator Nichol.

SENATOR NICHOL: Mr. Chairman, members of the Legislature, LB 213 is an important bill. I don't mean to say it is not because I think it is. It is sensitive. The Judiciary Committee heard hearings, fought, amended, fought some more, amended, fought, fought with Peter Hoagland and amended and continued, but the committee amendments as adopted by the Judiciary Committee to LB 213 essentially redraft the original bill. The main thrust of these amendments is to remove numerous unnecessary procedural steps and to redefine the standard needed for commitment after a person has been found not responsible by reason of insanity for a criminal offense. As originally drafted the bill would provide for commitments solely on the grounds of dangerousness. The committee did not feel that this standard was constitutionally defensible. The standard was changed to "dangerous by reason of mental illness or defect." Because the amendments will be explained more fully as they do, in fact, become the bill, I would let Senator Hoagland and Senator Pirsch explain these provisions further when they are talking to the bill. Mr. Chairman, in the essence of time I would suggest that we adopt the committee amendments and then have Senator Pirsch and Senator Hoagland discuss the bill as the amendments are in it.

SPEAKER MARVEL: Okay, Senator Nichol, you have an amendment to the committee amendment and Senator Hoagland has one.

SENATOR NICHOL: No, I do not think...no, I do not have an amendment to the committee amendments. Oh, yes, I do, Mr. Chairman. I forgot about one. It is strictly a technical amendment, "Strike amendment 2 and renumber the original repeal section." I move for the adoption of the amendment to the committee amendments. I'm sorry I forgot about that.

SPEAKER MARVEL: The motion is the adoption of the Nichol amendment to the committee amendment. All in favor vote aye, opposed vote no. Record the vote.

CLERK: 18 ayes, 0 nays on adoption of Senator Nichol's amendment to the committee amendments, Mr. President.

4033