

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

January 25, 2002 LB 82

agenda item, special order, LB 82.

CLERK: Mr. President, LB 82 was a bill originally introduced by Senator Brashear. The Legislature...well, it's a bill for an act relating to crimes and offenses. The bill was discussed yesterday, Mr. President. Senator Brashear, as Chair of Judiciary, offered committee amendments. The committee amendments, as the body may recall, were divided. We have pending, Mr. President, the fourth component of the committee amendments which consists of Sections 3 and 4 of the original committee amendments. When the Legislature adjourned for the day, Senator Bruning had pending an amendment to that component of the committee amendment, Mr. President. Senator Bruning's amendment is FA820. (Legislative Journal page 365.)

SENATOR CUDABACK: Thank you, Mr. Clerk. Senator Bruning, if you would update the body a little bit for...on your amendment to the committee amendments, part FA824. I'm sorry, Senator Bruning.

SENATOR BRUNING: Mr. President, members of the Legislature, yesterday morning when I offered an amendment to this particular section of LB 82, I was operating under the first of two theories that we use here in this Legislature. When you have discomfort with a part of a bill or an entire bill, there's two ways to go about it. If you think the bill has the votes to pass or the section of the bill has the votes to pass, you try to make it better. You try to fix it up. You assume it's going to cross the finish line. You try to clean it up as best you can. If you start to get the sense that a bill or a part of a bill doesn't have the votes to cross the finish line, the theory is different. At that point, you just try to defeat that bill or that part of the bill. Well, over the course of the morning yesterday, any conversations I had yesterday afternoon, last night, with county attorneys, my friends in law enforcement, numerous people, I started to discover that there are myriad problems with this particular section of LB 82. So, rather than try to clean it up, because it's my sense that the body doesn't feel that this is the right thing for the state to do, I'm going to withdraw this amendment and urge that we defeat this portion of the bill. So, Mr. Clerk, I'd withdraw my amendment.