

April 14, 1980

LB 993

Joe Soukup hasn't been wronged by the State of Nebraska. I find that intolerable. I support Senator Kelly in this motion. I also would yield the rest of my time roughly two and a half minutes to Senator Hoagland to make some additional comments.

SENATOR CLARK: You have two minutes left, Senator Hoagland.

SENATOR HOAGLAND: Senator Landis and colleagues, thank you, Senator Landis, for yielding the rest of your time to me. I would like to start out by commending Senator Kelly for bringing this particular issue to the attention of the full Legislature. I think it is really clear in my view that Joseph Soukup in this case is entitled to some kind of a remedy, some kind of damages for the wrong that is being afflicted upon him. Now I think that this kind of conduct by the state to hold this man illegally and against his will for approximately six and a half years is very difficult to justify, and based upon the experience I have had with these kinds of cases from prior years, I think the damages that Senator Kelly is asking this Legislature to appropriate, which is approximately \$10,000 a year for each of the years of illegal confinement, is really not very much at all, and if Mr. Soukup had been held illegally by a private party, by any kind of organization other than a governmental entity, the damages would be many, many times greater than \$65,000 a year, would be many, many times greater than \$10,000 a year. I think we should adopt this amendment and again I think we should commend Senator Kelly for bringing this to our attention. Thank you.

SENATOR CLARK: Senator Newell. The question has been called for. Do I see five hands? I see five hands. I do. The question before the House is to cease debate. All those in favor vote aye, all those opposed vote nay.

CLERK: Senator Clark voting aye.

SENATOR CLARK: Record.

CLERK: 27 ayes, 2 nays to cease debate, Mr. President.

SENATOR CLARK: Debate is ceased. Senator Kelly, do you wish to close?

SENATOR KELLY: Mr. Speaker, members of the Legislature, in my enthusiasm "against the committee", I want to back-track just a moment is that the vote in the committee was four votes to award Joe Soukup nothing. Now Senator