

May 7, 1981

LB 95

amendment requiring two professionals rather than one to be in to making the determination as to whether or not, and advising the County Attorney in the process. I see no major objection to that portion of the Fowler amendment either, and so, therefore, I would urge you to adopt the Fowler amendment.

SPEAKER MARVEL: Okay, the motion is the adoption of the Fowler amendment to the bill. All those in favor of that motion vote aye, opposed vote no. Record the vote.

CLERK: 26 ayes, 0 nays, Mr. President, on adoption of the Fowler amendment. Mr. President, Senator DeCamp has an amendment but he is not in the Chamber. And I have one after that. Mr. President, Senator Cullan moves to amend the bill and that is found on page 1803 of the Journal. 1803, I'm sorry.

SPEAKER MARVEL: Senator Cullan.

SENATOR CULLAN: Mr. President and members of the Legislature, I would like to review this amendment for you briefly. This amendment makes some technical changes in the section that provides for conditional release of individuals who are mentally...who were formerly held under the mentally disordered sex offender act, and now we transfer jurisdiction under the Mental Health Commitment Act after their sentence is terminated so that they would be under the jurisdiction of the Mental Health Board which, of course, is civil in nature. All the intent of this amendment is to clarify that the standard which applies when these individuals are held following the termination of their sentence is the civil standard of mentally ill and dangerous and not the sex offender standard, and so with that technical change, I think that was already clear but we are simply making it more clear that the appropriate standard is the mentally ill and dangerous standard for that period of time after these individuals are out of the mentally disordered sex offender statute...or jurisdiction of that statute. So with that I would urge you to adopt this amendment to section 44 of LB 95.

SPEAKER MARVEL: Senator Chambers, do you wish to speak to the Cullan amendment?

SENATOR CHAMBERS: Mr. Chairman, I want to ask, while I have this opportunity, Senator Cullan a question about the bill because we are trying to keep debate to a limit