

May 7, 1981

LB 95

and I understand that. Senator Cullan, is there a provision in the bill which would make its conditions of additional restriction on various people apply to some people who are in custody right now?

SENATOR CULLAN: I don't think I understand your question, Senator Chambers.

SENATOR CHAMBERS: Well, I had read things in the newspaper that this bill was passed with Cribbs and some other individual contemplated, and that it limits the conditions under which such people can be released. It places restrictions on them which are not on them right now under the law.

SENATOR CULLAN: I think you are talking about LB 213 rather than LB 95. This...213 deals with not guilty by reason of insanity, and any provision that formerly dealt with not guilty by reason of insanity under 95 has been stricken.

SENATOR CHAMBERS: Then I'm....thank you.

SPEAKER MARVEL: The motion is the adoption of the Cullan amendment to LB 95. All those in favor of the motion vote aye, opposed vote no. Record.

CLERK: 26 ayes, 0 nays, Mr. President, on adoption of the Cullan amendment.

SPEAKER MARVEL: The motion is carried. The Cullan amendment is adopted.

CLERK: Mr. President, Senator DeCamp moves to amend the bill by striking Section 44.

SPEAKER MARVEL: Senator DeCamp.

SENATOR DeCAMP: Mr. President and members of the Legislature, this isn't any big deal but I do believe this section may have constitutional problems because of the Sullivan case. As I read the section, as I understand the case and so on and so forth, they said basically if you lock a sex nut up, then once he has served his time, he gets out, and this sets up kind of a system that I admire and agree with completely, but talks about letting somebody out from the Mental Health Board and then them revoking basically his right to be out, if he violates any of the conditions of such order. And I don't think they can lock him up without getting