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LB 95

is rendered or ruled unconstitutional, the bill falls. The court is not going to go in with a scalpel and excise a word here, a sentence there, a section over here, to try to come up with a hodgepodge. When those who deal with the bill will establish in the record that the unconstitutional portion served as an inducement for the passage of the bill, when that inducement for passage falls, the rest of the bill falls too. On this particular amendment, Senator Cullan says that there will be supervision of this person for a two-year period after he or she has served the term. But it doesn't say whether the person is on parole. So I have to ask a question. Senator Cullan, who does this scrutinizing or monitoring of this individual? Senator Cullan, who scrutinizes or monitors these individuals during the two years?

SENATOR CULLAN: The Mental Health Commitment Board.

SENATOR CHAMBERS: I meant the Board certainly doesn't have the power to go out and oversee this person. Are they going to have a staff like the Parole Board has to do this and keep in touch with these people?

SENATOR CULLAN: The Board can commit the individual to the Department of Public Institutions or a community based mental health program and monitor those commitments.

SENATOR CHAMBERS: Has the Parole Board said that they will accept these people as though they are parolees, when under the statutes establishing parole they are not?

SENATOR CULLAN: It has absolutely nothing to do with the criminal justice system. It has absolutely nothing to do with the Parole Board. They are committed under a civil commitment pursuant to Section 29-20, and the system is....Senator Chambers, the system....we are just providing an additional tool to the Mental Health Commitment Board. It is not parole....

SENATOR CHAMBERS: But here's what....

SENATOR CULLAN: It is not a continuation of a sentence.

SENATOR CHAMBERS:I am asking you, Senator Cullan, you are answering a question that I am not asking, and not answering the question that I am asking. If this person is on this conditional release, who are the employees of the Mental Health Board who will be monitoring