

May 27, 1981

LB 95

SENATOR CULLAN: Mr. President, I would ask for the House to go under Call, well...

PRESIDENT: All right, do you want a Call of the House?

SENATOR CULLAN: ...wait a minute, I think we are coming in.

PRESIDENT: Well, all right, we will see if you want to go under Call. Have you all voted? I will ask it one more time and then we will see. Well, Senator Cullan, we just as well...do you make a motion then?

SENATOR CULLAN: Mr. President, do we have...? We only need three more votes.

PRESIDENT: I am sure they know that. Well, we better...

SENATOR CULLAN: Mr. President, could we have the House under Call, please.

PRESIDENT: All right, we'll have...record the vote.

CLERK: 25 ayes, 7 nays to return the bill, Mr. President.

PRESIDENT: The motion carries. The bill is returned. Senator Cullan.

SENATOR CULLAN: Mr. President, members of the Legislature, a number of individuals did not have an opportunity, I guess, to hear what the amendments were so very briefly I'll just...

PRESIDENT: Just a minute, Senator Cullan. (Gavel.) I believe they couldn't hear you if you did try to explain it, so maybe we could try to get some order here because we still have a long day ahead of us and you better try to take care of these things as they come up. Senator Cullan, go ahead.

SENATOR CULLAN: Okay, Mr. President, there were a number of questions while we were voting about what the amendment was so I will explain it very briefly. The first, one portion of the amendment strikes the provision of the bill that would have provided for conditional release of individuals who were released from their terms as mentally disordered sex offenders so there would be no conditional release under the bill. This responds to concerns raised by Senator De-Camp and Nichol, Senator Chambers, that those sections were unconstitutional. I do not believe they were unconstitutional but next year I have decided to come in with another bill providing for conditional release, not only for MDSO