

SENATOR LAMB: Senator Vickers.

SENATOR VICKERS: Mr. President, members, if you will turn to page #25, Section 23, of LB 942, what the committee amendments are doing that I am attempting to strike out, on line 11, page 25, it would strike the language, "and aided or abetted the offender in the commission of the unlawful act." On line 18 it would strike the language again, "and aided or abetted the offender in the commission of the unlawful act." Now if we take that language out then what it says is that if you're a relative of the offender, no matter what, whether you aided or abetted or not, you're not going to be eligible to be awarded any compensation, period. Also it says, on the next subsection, that if at the time of the injury which results in the death of the victim, the victim is living with the offender as a member of the same family or household or maintaining a sexual relationship with the offender or with a member of the offender's family, whether or not you aided or abetted you're not going to be eligible for any assistance. Now what that means as I read it is that if an individual happens to be going with a cousin of some other individual and perhaps might be having sexual relationships with this cousin, then if this other cousin and maybe you may or may not have ever even met, does some drastic deed, you're not going to get anything even though you've never met them, you never aided them, you never abetted them or anything and I think that is quite a drastic step to take it seems to me. When you'll notice that the next committee amendment which I think is a good amendment adds another subsection 5 that says, "aided or abetted the offender in the commission of the unlawful act." In other words, if we do not accept this portion of the committee amendments and then do accept the next, then we're saying that if you're a relative of the offender or whether or not you're a relative of the offender, if you aided or abetted, you're not going to get any help, whether or not you're a relative, whether or not you lived in the same household, whether or not you had a sexual relationship with the offender or any member of his family and I think that is the way it should be. But I suggest to you that striking the language on page 25, lines 11 through 13 and again, on lines 18 through 19 is quite a drastic policy decision that we're making, simply saying that because you might be a relative or happen to be having a relationship with the person who might be a relative, and then do not qualify for this, is a step that I think this Legislature should not be taking in this type of legislation. I urge the body's adoption of my amendment to strike lines 9 through 13 of the committee amendments on page 4.