

guts of what I call a crisis in the confidence of government institutions caused by the Franklin fiasco. We, today, must do our part to restore that confidence. The Judiciary amendments, in my opinion, will do that. The committee worked hard, colleagues, to frontally attack the root of this crisis that I bring you today. And this is the result of a consensus reached between Franklin Committee members, the Judiciary Committee members, Senator Wesely and other senators supporting LB 886, interested citizens groups, the county attorneys throughout the state and the Attorney General. The Judiciary Committee amendments to LB 1246 essentially gut the original provisions of LB 1246 and incorporates, generally, the provisions of LB 1243, LB 1246 and LB 886. The committee amendment also adds a severability clause and an emergency clause. First, the amendment provides that a special committee of the Legislature, upon the affirmative vote of the majority of the committee members, with permission of a district court judge, may order a subpoenaed witness to testify and provide use immunity to that witness. If the immunized witness nevertheless still refuses to testify, the special committee could ask the district court judge to hold the immunized witness in contempt and incarcerate or fine the witness until the witness testifies as ordered. This procedure is identical to the one now used by prosecutors. Use immunity means that any testimony ascertained as an indirect or direct result of the witness's testimony cannot be used against him or her in a subsequent legal proceeding. However, it is important, colleagues, to remember that use immunity would not prohibit the criminal prosecution of an immunized witness, if the prosecution of the immunized witness was based exclusively upon evidence in the hands of the prosecutor before the immunity was gathered, or evidence ascertained from a source or sources completely distinct and not connected in any way with or discovered as a consequence of the information provided in the witness's testimony before the committee. Second, the committee amendments extend the statute of limitations for sex related offenses against victims 16-years of age or younger. According to the testimony before the Judiciary Committee by Senator Schmit and Senator Labeledz, many of the instances of crimes against children which the Franklin Committee became aware of were committed against children, and the Franklin Committee became concerned that the statute of limitations had already expired. I will let Senator Schmit address and explain this finding in more detail later. The statute of limitations, provided in the committee amendments, is seven years, or seven years past the time when the victim reaches the age of 16,