

SPEAKER WITHEM: I did, and I'll give you a 15 second warning now.

SENATOR CHAMBERS: Well, then I won't ask the next question at this point.

SPEAKER WITHEM: Senator Hall, you're recognized to speak on the Chambers amendment.

SENATOR HALL: Thank you, Mr. President and members. I rise only to correct the record and I do this because it was, as represented through the committee statement, it is accurate but I guess it's true when you look at the committee statements but it's not accurate. There was opposition to the bill and it was in the form of a letter. It was inadvertently left off the committee statement and I don't...Senator Landis clearly reflected what the committee statement says, as well as Senator Chambers, so I do not blame them for that, but the Nebraska Criminal Defense Attorneys Association did submit a letter in opposition to the bill. It was somehow not shown in that record and I don't fault anyone for portraying anything other than what the committee statement says, but it was addressed to Senator Lindsay and Committee Members. It's dated the date of the hearing and it was submitted to the Judiciary Committee. Says the Nebraska Criminal Defense Attorneys Association is opposed to LB 471 because we feel that the proposed language amending Nebraska Revised Statutes, Section 28-318 to add Section (sic) (8)(a)(ii) stating that without consent means, in quotes, the victim expressed a lack of consent through words or, small (iii), the victim expressed a lack of consent through conduct, end quote, is unconstitutionally vague. Paragraph. Passage of this bill may actually make sexual assault prosecutions more difficult. It is our contention that the language in Nebraska Revised Statutes Sections 28-13 and...excuse me, 319 and 320 regarding overcoming, quote, the victim by force, threat of force, expressed or implied coercion or deception, end quote, is clear language. There is a body of case law in Nebraska interpreting this language making it even more clear, period. Paragraph. This proposed change is unnecessary and could lead to confusion and unnecessary litigation in the appellate courts, period. Paragraph. For the above reasons, we would ask the committee to indefinitely postpone LB 471. I only read that for the record. Senator Lindsay will back up the statement that this was submitted and it was inadvertent...I don't...in light