

February 5, 1996 LB 754

SENATOR CHAMBERS: Thank you. Senator Bernard-Stevens, did you hear that?

SENATOR COORDSEN: Senator Bernard-Stevens.

SENATOR BERNARD-STEVENS: No, sir, I did not, I apologize.

SENATOR CHAMBERS: This eight sex crime individual can be found by the commissioner to be of suitable character to teach, there's nothing to prohibit that.

SENATOR BERNARD-STEVENS: I have a problem with that...you're talking about of in Section 8?

SENATOR CHAMBERS: In Section 7 because Section 7 deals only with those subject to this new language that we're putting in. We're talking about a conditional certificate or permit to teach.

SENATOR BERNARD-STEVENS: Yeah, Senator Chambers, that whole section has caused me heartburn on all of the different flaws that are in it. This is one, I tried to bring out one with this amendment. I had another amendment that actually struck the whole, the whole section, that we hadn't gotten to. There's another problem with that section too, if you take time. They're talking about when you should withdraw a certificate, a temporary certificate. Well, the way it's worded in that section is that once the Patrol gives to the commissioner the fingerprints or the background data that they receive, that certificate is pulled immediately even prior to any appeals process and there's no time restraint given for that appeals process. And so there are a lot of problems within that paragraph. And to get back to your statement, I concur. I think you made a valid point.

SENATOR CHAMBERS: But here's, here's where they kind of cleaned up what you just mentioned, before they had said, maybe in the green copy it would be void immediately, but here's what they add. It would be void upon the commissioner's receipt of the State Patrol report of the applicant's criminal history record information check and a determination that the applicant does not meet the requirements for issuance of a certificate or permit. I think what they would have to do to tighten that up