

February 22, 1996 LB 645, 1021

SENATOR CHAMBERS: Mr. President and members of the Legislature, I want to take a second and look at the bill where we are, because what my amendment does as printed is to strike some lines, so my time can be running, but I want to bring myself...well, look, I'm going to withdraw this and resubmit it after Senator Beutler's amendments.

SPEAKER WITHEM: This amendment is also withdrawn. Mr. Clerk, next item.

CLERK: Mr. President, Senator Wesely and Hudkins would move to amend with AM3170. (See pages 873-75 of the Legislative Journal.)

SPEAKER WITHEM: Senator Wesely.

SENATOR WESELY: Thank you, Mr. Speaker and members of the Legislature. I'll take a few minutes to describe my amendment and allow Senator Chambers and Senator Beutler a little time to get caught up. And I do not plan to withdraw this amendment, I do plan to go forward with it and I do hope you'll adopt it. This amendment, and I am sending around some copies of it, is actually LB 1021. And if you want to refer to that you'll see in your bill book that that's a piece of legislation that I introduced on behalf of the Governor dealing with the Convicted Sex Offender Act. Senator Hudkins cosigned this amendment and had her own bill that she introduced dealing with convicted sex offenders as well, and both of us introduced bills, they were slightly different in their drafting. The Judiciary Committee chose to advance my version of the bill, and Senator Hudkins and I have joined forces on this amendment to see if we can adopt it to LB 645. The reason is we need to clarify and change the law regarding how we adjudicate convicted sex offenders because the court has ruled, our Supreme Court has ruled first with a case known as State v. Philipps, and that case dealt with commutation power and found that it lie, that it did not rest in the judicial branch, but, in fact, was a power of the executive branch. And that led to a case known as State v. Jones, and, no, it wasn't Senator Jones, it was some other Jones. But the Jones case eventually threw out the convicted sex offender law that we have in place right now and how convicted sex offenders are treated after they've completed treatment. Currently they are to be resentenced under the statutes by the court, and with