

TRANSCRIPT PREPARED BY THE CLERK OF THE LEGISLATURE
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doctor certifies that it's from natural causes, there will not be the necessity of appointing a special prosecutor in all of those instances.

PRESIDENT MAURSTAD: Senator Chambers, you're recognized to continue on your own time.

SENATOR CHAMBERS: Thank you, Mr. President. And, Senator Crosby, if I haven't adequately answered, then turn your light on and get me again. But I'm going to try to use my time to explain, as clearly as I can, a little more about this bill. On page 2 of this amendment would be subdivision (d), it's a part of subsection 4. And this is what that language says, "A special prosecutor need not be appointed in those cases in which the death has been certified by a licensed practicing physician to be from natural causes and that finding is presented to a grand jury." Now, every death that occurs while a person is in detention, which is what this amendment...portion of the amendment deals with, is submitted to the grand jury. There need not be a special prosecutor, but suppose in the process of examining one of these death it appears that there was not a natural death, but that somebody had been suffocated. If this develops then we have a situation where it is not a death from natural causes, and there would be then the triggering of the requirement of a special prosecutor, because a detention person is going to be the subject of or target of an investigation. And the county attorney in that county, which would probably be Lancaster or Douglas, maybe whatever county Tecumseh is in, once they get up and running, would then be appointed. I think that I have explained all parts of the amendment, so I'm not going to be repetitive. But, if you have any questions, I'm prepared to answer them. Thank you, Mr. President.

PRESIDENT MAURSTAD: thank you, Senator Chambers. Senator Hudkins would like to announce the following guests are visiting the Legislature: 60 fourth grade students from Valley Elementary School in Valley, Nebraska, and their teachers (introduced teachers). They are seated in the north balcony. If you'd rise, we'd like to recognize and welcome you to the Nebraska Legislature. Continued discussion on the motion to return LB 72 to Select File would be Senator Beutler, followed by Senators Bromm, Brashear, Bourne, Schmitt, Crosby, and