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LB 44

PRESIDENT MAURSTAD: Senator Bromm. Senator Janssen, on the Chambers amendment to LB 44.

SENATOR JANSSEN: Thank you, Mr. Lieutenant Governor, members of the Legislature. Senator Chambers, could I carry on a little conversation with you, please?

SENATOR CHAMBERS: Yes.

PRESIDENT MAURSTAD: Senator Chambers.

SENATOR JANSSEN: Senator Chambers, I missed Senator Bromm's time there. Did he bring up the fact, what about the arrests that are made on the interstate? Now is there a different law pertaining to that, how...money that is seized on the interstate? Is that different from, say, if the arrests were made in the city of Lincoln or in Omaha? Is there a different federal regulation for interstate trafficking?

SENATOR CHAMBERS: Senator Janssen, this procedure that Senator Bromm is talking about, and the law enforcement people came to him, he doesn't understand it, and he can't explain it. I don't believe anybody on this floor can explain it, including me, but here is how it works. Local law enforcement, meaning state...the State Patrol, sheriff's people, and city cops make the arrests. Federal agents, they don't have a police force.

SENATOR JANSSEN: Um-hum.

SENATOR CHAMBERS: Rather than take these through the state court they take it through this federal process, because in Nebraska you've got to prove beyond a reasonable doubt that a crime was committed, and this vehicle and the money were involved in that...in the commission of that crime. Under the federal process, you don't even have to charge the person with a crime. You say there is probable cause to believe that this money or this vehicle was used in the commission of a crime, so we take it. Then the person who lost the car, sometimes it's a house, and they want to accuse the man, but the woman loses out, too, the whole family loses; businesses, it has been the same way. They compel you, who has lost your property, even if they