

TRANSCRIPT PREPARED BY THE CLERK OF THE LEGISLATURE  
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LB 1004

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PRESIDENT MAURSTAD: Senator Kristensen, you're recognized to open.

SPEAKER KRISTENSEN: Thank you, Mr. President. Members of the Legislature, Senator Bromm discussed the concept of the bill and what Senator Engel's purpose was, obviously, for the use of convictions from other states for the purposes of enhancement and those areas of driving under the influence. As you remember the debate, there was significant discussion about how that mechanically occurs, what documentation is necessary, whether there should be a checklist, what offenses might count. And Senator Chambers, Senator Engel and I, we've discussed the matter, and this amendment, and Senator Bromm, this amendment is the product of, I believe, to be some of that agreement and the mechanism for it to allow it to advance and I think pass and be successful and do what this state needs to do an use some of those other convictions. What this amendment says is that the prosecutor shall present as evidence, for the purposes of sentence enhancement, an authenticated copy of the prior conviction from another state. The authenticated copy is prima facie evidence of the prior conviction. There's two different mechanisms. I'll explain this, but this is the motion to return to attach this specific amendment.

PRESIDENT MAURSTAD: Thank you, Senator Kristensen. Debate on the motion to return LB 1004 to Select File? Senator Kristensen, you're recognized to close on your motion. Senator Kristensen waives closing. The question is, shall LB 1004 be returned to Select File for specific amendment? Those in favor vote aye; those opposed vote nay. Please record.

CLERK: 37 ayes, 0 nays, Mr. President, on the motion to return the bill.

PRESIDENT MAURSTAD: The motion is successful. Senator Kristensen, you're recognized to open on AM3253.

SPEAKER KRISTENSEN: Thank you, Mr. President. This specific amendment is the difference between a certified copy, which most prior convictions, let's say Senator Kremer has a prior