

TRANSCRIPT PREPARED BY THE CLERK OF THE LEGISLATURE
Transcriber's Office
FLOOR DEBATE

March 26, 2003 LB 46

SENATOR BRASHEAR: Do you mean by on the first day following a full moon, following 140 percent capacity? Is that what you mean? Pick a time frame?

SENATOR BEUTLER: Right. I think everything but maybe the full moon part of it.

SENATOR BRASHEAR: (Laugh) I have no objection to establishing a mandatory time frame within which the certification will be made.

SENATOR BEUTLER: Okay. And then let me ask you one picayune kind of point. But down on line 24, on 51, page 51, you talk about one of the determinations that the board shall make is whether there has been a substantial risk that a committed offender shall commit a violent act against a person. Is that intended to be the same as a violent offense, as defined...

SPEAKER BROMM: One minute.

SENATOR BEUTLER: ...previously?

SENATOR BRASHEAR: It is not intended to be the same. And we're talking about one specific act. For instance, if this person has a history of domestic violence, something very specific, this is meant to personalize violence as between personalities, as opposed to generally.

SENATOR BEUTLER: Okay. And so that act could be something broader than and other than those things described in subsection (8) on page 50, defining a violent offense. Is that correct?

SENATOR BRASHEAR: Could be...?

SENATOR BEUTLER: Could be other than...

SENATOR BRASHEAR: Could be narrower and more particularized.

SENATOR BEUTLER: Okay. But could be something other than those