

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

February 10, 2004 LB 139A

to the floor at the...when the main bill is brought up. As far as this morning is concerned, where we're talking about the money aspects of this bill, the one thing that we should recognize is that the portion of the bill, or that will come back as an amendment from these two senators, that there is no fiscal note to this, and it is a self-funding part of this bill. So that as far as the appropriations part of things here this morning, I believe that we've got that part as accurate as can be, and that if this is added by the body when the main bill comes up, there will be no change in what is made at that time. One last thing, I happen to be one of those people that thinks that it does help those that are impoverished. Just this last week, there was one more case--I forget; it was in the southeastern part of the United States--where someone who had been on death row for 16 years was exonerated by DNA, and walked out as a free man. And you see these kind of cases happening just about on a regular basis. And, frankly, this is one of the things that got me interested in pursuing this legislation is, because as we have said before, for the first time in the history of this planet we can prove people innocent. One last thing regarding funding, and we don't really have any way of proving, as Senator Chambers is saying, how much money this is going to save. We can come up with anecdotes and so on. And here's one more that I received from Judge Icenogle out in Kearney. And I think it goes a long way towards telling us what can happen, and what it is, is this. It's regarding paternity suits. Since the advent of DNA used in paternity suits, jury trials have just about disappeared. They're...the defendant...

SENATOR CUDABACK: One minute.

SENATOR JOHNSON: ...is presented with the evidence, and they say, all right, how can we settle this? In this one instance in our relatively small county, he says this: It is my estimate that the county attorney, that the ability to use DNA testing in paternity cases, in Buffalo County saves a minimum of \$150,000 to as much as \$230,000 each year. So it's just one more illustration, agreed, anecdotal, that it does work. And we'll look forward to working with Senator Chambers on his amendment, with Senator Brashear. Thank you.