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FLOOR DEBATE

February 11, 2004 LB 270

I think I'm in tune with Senator Brashear here, in the sense that it was not the Judiciary Committee's intention, and perhaps it's even clear enough in the bill, but this amendment seeks to make it absolutely clear that with respect to these new rights that a victim has, that it would not result in one of two things. That is, it would not result in any liability on the part of the state should the state erroneously fail to give or make some notice, some procedural thing. And secondly, it makes clear that if an act is carried out in the absence of giving the victim, perhaps, notice, that the failure to give that notice would not result in a declaration on the part of the court that the act itself was illegal or wrong or negated by virtue of that fact. And so that's all this amendment does, is to make clear those two things, which I think is the Judiciary Committee's intent all along. And I would yield the rest of my time to Senator Brashear.

SENATOR CUDABACK: Senator Brashear, you have about eight minutes.

SENATOR BRASHEAR: Mr. President, members of the body. Thank you, Senator Beutler. Yes, you have correctly stated the view, the purpose, and the intent. And I support you in your amendment, and support the amendment, and would ask its adoption and the advancement of LB 270. Thank you.

SENATOR CUDABACK: Thank you, Senator Brashear. Did you wish to have your time back, Senator Beutler? Any further discussion on AM2215? There are no lights on, Senator Beutler. He waives the opportunity to close. The question before the body is adoption of AM2215, offered by Senator Beutler to LB 270. All in favor vote aye, opposed nay. The question before the body is the Beutler amendment, AM2215, to LB 270. Have you all voted who care to? Record please, Mr. Clerk.

CLERK: 27 ayes, 0 nays, Mr. President, on the adoption of Senator Beutler's amendment.

SENATOR CUDABACK: The motion was successful. Mr. Clerk.

CLERK: Mr. President, Senator Brashear would move to amend with