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LB 1086

SENATOR CUDABACK: Senator Bourne, about a minute and a half have been used.

SENATOR BOURNE: Thank you, Senator Schimek. And again, I'm not standing up in opposition to the amendment. I'm simply saying to you that in fairness to the other members who have had priority bills in the committee, those are the bills we have focused on. And I will tell you also, Senator Stuhr asked me several weeks ago to put this on our agenda. I asked her if it was going to be prioritized, and I believe she said no, but she was looking for a place for it. So I mean, this is on our radar screen. Unfortunately, there are so many hours in the day, and we just haven't done that, haven't gotten it out yet. But...and I want to, again, just kind of go through some of these issues that...what we look for, and I assume most committees do, as it relates to penalties. And when you're talking about putting someone in prison, you have to be careful. On page 3, the penalties there--causing or threatening to cause physical harm to such person, the perpetrator is guilty of a Class II felony. A Class II felony is a maximum of 50 years and a minimum of 1 year in jail. So if you threaten to cause physical harm to a person, you can go to jail for as much as 50 years, but a mandatory minimum of 1 year in prison. Physically restraining or threatening to physically restrain such a person, that perpetrator is guilty of a Class III felony. That's a maximum of 20 years, with a \$25,000 fine, and a minimum of 1 year in jail. So if I threaten to physically restrain somebody for the purposes talked about in this amendment, I go to jail for a mandatory minimum of 1 year. And it might be appropriate. That might be appropriate. I just don't know. Abusing or threatening to abuse the law or legal process. So if I threaten to break the law, that's a Class IV felony, maximum of 5 years in jail. One other thing I wanted to point out...and again, this was just...I had a few minutes to read the amendment when Senator Stuhr told me she was going to run it on this bill. On page 4, it talks about, restitution is mandatory under this section. So if someone is charged under this section of statute, they have to pay money. The court shall order restitution, including the greater of the gross income or value to the perpetrator of the victim's labor, or the value of the victim's labor as guaranteed under the minimum wage and overtime