

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

March 27, 2006      LB 1199

SENATOR BOURNE: I...just standing here looking at the language, I don't know. But I will tell you that the goal is, is to incarcerate...or, excuse me. The goal is to civilly commit those folks who are at a high likelihood of reoffending and...but no more, meaning, we made a decision that we don't want to civilly commit people who are not a danger to society, and so we tried to narrowly draft this so that it only would ensnare those folks who are most like...who are dangerous and most likely to reoffend. So I guess what I'm saying, I'm making this the long version, is the goal is to only civilly commit those folks we should be afraid of and no others. So if there's language improvements we can make to accomplish that goal, I'd be happy to sit down and get your input, because I know of your interest in the issue.

SENATOR BEUTLER: Well, there's absolutely no difference between us, Senator, in terms of the goals you're describing and the balance that you have in here and all of that. Let me ask you this. We now have three, with the addition of this one, we'll have three different commitment procedures. We'll have the Mental Health Commitment Act,...

SENATOR CUDABACK: One minute.

SENATOR BEUTLER: ...we'll have the DD commitment act, and we'll have the dangerous Sex Offender Commitment Act. Now there's crossover. A person with a sexual offense problem could have a mental illness and conceptually could be committed under the Mental Illness Commitment Act or, for that matter, under the DD act, even though they had...the nature of their problem was in the nature of sexual offenses. What is the protocol here, or what is intended with regard to where a prosecutor or a county attorney or the Attorney General goes? Can they go to any one of the three that applies, and it's an alternative kind of thing? Or if the matter is a sexual offense, is it intended that they would use this new section of law that you're describing?

SENATOR CUDABACK: Time, Senator Bourne.