

February 7, 1990

LB 551, 843, 901, 958, 1007, 1039, 1071  
1087, 1105, 1119, 1133, 1243  
LR 253

registered lobbyists for the present week. New bill. (Read LB 1243 by title for the first time.) New resolution. (Read brief summary of LR 253.) Your Committee on Retirement, whose Chairperson is Senator Haberman, reports LB 1105 to General File; LB 1039 to General File with amendments. Committee on Transportation reports LB 1119 to General File; LB 958, General File with amendments; LB 1007, indefinitely postponed; LB 1071, indefinitely postponed; LB 1087, indefinitely postponed; LB 1133, indefinitely postponed. Senator Baack would ask to name LB 843 as a priority bill. Senator Abboud offers explanation of vote on the bills that were read on Final Reading this morning. And unanimous consent request to add names, Senator Byars to LB 551, Senator Kristensen to LB 551 and Senator Chambers to LB 901. That's all that I have, Mr. President. (See pages 717-24 of the Legislative Journal.)

SENATOR HANNIBAL: Thank you. Senator Byars, for what purpose do you rise?

SENATOR BYARS: Mr. President, I would move that we adjourn until Monday, February 12, 1990, at 9:00 a.m.

SENATOR HANNIBAL: You've heard the motion. Those in favor say aye. Opposed same sign. We are adjourned.

Proofed by:

  
Marilyn Zank

February 12, 1990

LB 93, 100, 346, 369, 454, 461, 517  
529, 560, 578, 593, 647, 771, 1008  
1010A, 1019, 1022, 1027, 1045, 1048, 1064A  
1078, 1081, 1085A, 1110, 1123, 1186, 1199  
1243  
LR 13

SPEAKER BARRETT: Motion fails. The call is raised. For the record, Mr. Clerk.

CLERK: Yes, Mr. President, I have a series of items. Mr. President, I have a Reference Report referring LB 1243 to the Judiciary Committee. That is signed by Senator Labedz as Chair of Reference. A hearing notice from Banking, Commerce, and Insurance, Mr. President, for February 20, signed by Senator Landis.

Amendments to be printed to LB 1022 by Senator Smith; Senators Warner and Beyer to LB 369. (See pages 744-46 of the Legislative Journal.)

Mr. President, your Committee on Transportation whose Chair is Senator Lamb reports LB 1186 to General File with committee amendments attached, signed by Senator Lamb. Banking Committee reports LB 93 as indefinitely postponed, LB 100, LB 454, LB 461, LB 529, LB 560, LB 578, LB 593, LB 647, LB 771, LB 1008, LB 1027, LB 1045, LB 1078, LB 1110, and LB 1123, all reported indefinitely postponed, those signed by Senator Landis as Chair of the committee. Government Committee, Mr. President, whose Chair is Senator Baack, reports LB 1019 to General File, LB 517 indefinitely postponed, LB 1048, LB 1081, and LR 13CA as indefinitely postponed, those signed by Senator Baack as Chair. (See pages 746-47 of the Legislative Journal.)

New A bills, Mr. President, LB 1010A by Senators Ashford, McFarland, and Chambers; LB 1085A by Senator Wesely; LB 1064A by Senator Wesely. (All read for the first time by title. See page 748 of the Legislative Journal.) That is all that I have, Mr. President.

SPEAKER BARRETT: Thank you. Mr. Clerk, moving on to the next bill on General File, LB 1199.

CLERK: LB 1199, Mr. President, was a bill introduced by Senator Landis. (Read title.) The bill was introduced on January 18 of this year, referred to the Banking, Commerce, and Insurance Committee for public hearing. I have no amendments to the bill, Mr. President.

SPEAKER BARRETT: Thank you. (Gavel.) The Chair recognizes Senator Landis.

March 7, 1990

LB 866, 880, 976, 1031, 1059, 1184A, 1243  
1246  
LR 251

SPEAKER BARRETT: Discussion? Shall LB 1184A be advanced? Those in favor say aye. Opposed no. Carried, the bill is advanced. To LB 880.

CLERK: LB 880, Senator, I have no amendments to the bill.

SENATOR HALL: Mr. President, I'd move that LB 880 be advanced to E & R for engrossing.

SPEAKER BARRETT: Is there discussion? Seeing none, the question is the advancement of LB 880. Those in favor say aye. Opposed no. Carried, the bill is advanced. Mr. Clerk, have you anything for the record?

CLERK: Mr. President, I do. Amendments to be printed to LB 976 by Senator Pirsch; and Senator Bernard-Stevens to LB 1031; Senator Warner to LB 1059. (See pages 1248-49 of the Legislative Journal.)

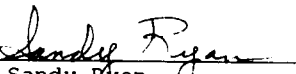
Mr. President, your Committee on Revenue, whose Chair is Senator Hall, reports LB 866 to General File with committee amendments attached. That is signed by Senator Hall as Chair. Judiciary Committee reports LB 1246 to General File with amendments; LR 251C, indefinitely postponed; LB 1243, indefinitely postponed. Those signed by Senator Chizek as Chair. That's all that I have, Mr. President. (See page 1249 of the Legislative Journal.)

SPEAKER BARRETT: Thank you. Senator Baack, for what purpose do you rise?

SENATOR BAACK: Yes, Mr. Speaker, I move that we adjourn until tomorrow morning at 9:00 a.m.

SPEAKER BARRETT: You've heard the motion to adjourn until tomorrow morning at nine o'clock. All in favor say aye. Opposed no. Carried, we are adjourned.

Proofed by:

  
Sandy Ryan

guts of what I call a crisis in the confidence of government institutions caused by the Franklin fiasco. We, today, must do our part to restore that confidence. The Judiciary amendments, in my opinion, will do that. The committee worked hard, colleagues, to frontally attack the root of this crisis that I bring you today. And this is the result of a consensus reached between Franklin Committee members, the Judiciary Committee members, Senator Wesely and other senators supporting LB 886, interested citizens groups, the county attorneys throughout the state and the Attorney General. The Judiciary Committee amendments to LB 1246 essentially gut the original provisions of LB 1246 and incorporate, generally, the provisions of LB 1243, LB 1246 and LB 886. The committee amendment also adds a severability clause and an emergency clause. First, the amendment provides that a special committee of the Legislature, upon the affirmative vote of the majority of the committee members, with permission of a district court judge, may order a subpoenaed witness to testify and provide use immunity to that witness. If the immunized witness nevertheless still refuses to testify, the special committee could ask the district court judge to hold the immunized witness in contempt and incarcerate or fine the witness until the witness testifies as ordered. This procedure is identical to the one now used by prosecutors. Use immunity means that any testimony ascertained as an indirect or direct result of the witness's testimony cannot be used against him or her in a subsequent legal proceeding. However, it is important, colleagues, to remember that use immunity would not prohibit the criminal prosecution of an immunized witness, if the prosecution of the immunized witness was based exclusively upon evidence in the hands of the prosecutor before the immunity was gathered, or evidence ascertained from a source or sources completely distinct and not connected in any way with or discovered as a consequence of the information provided in the witness's testimony before the committee. Second, the committee amendments extend the statute of limitations for sex related offenses against victims 16-years of age or younger. According to the testimony before the Judiciary Committee by Senator Schmit and Senator Labedz, many of the instances of crimes against children which the Franklin Committee became aware of were committed against children, and the Franklin Committee became concerned that the statute of limitations had already expired. I will let Senator Schmit address and explain this finding in more detail later. The statute of limitations, provided in the committee amendments, is seven years, or seven years past the time when the victim reaches the age of 16,