

April 8, 1975

south balcony as guest of Senator Marvel 12 students from Hastings High School. They are here with Marg Sneller, Kathy Wood and a young man by the name of Dan Whelan. Welcome all of you to the Nebraska Legislature.

CLERK: There are no further amendments on the bill Mr. President.

PRESIDENT: Senator Barnett.

SENATOR BARNETT: Is that it now? Thank you. Mr. President members of the Legislature, I would move for the advancement of LB23 to E & R initial. I would say that the debate has been enlightening. It has been a pretty tough bill. I would hope now that the objections that have been raised by people in a few areas, a couple of small areas, I would hope that we have satisfied their objections and see the need for this type of legislation, something that has been needed for a long, long time and has taken a lot of work to do and I would hope that we could advance this bill over to E & R and on Select and take a good look at it over there a if somebody else wishes at that time to change any aspect of it we should discuss it then. But I think then at the present time we have taken care of the main objections and now have the bill in pretty good status. So I would move for the advancement of LB23 to E & R.

PRESIDENT: Senator Kelly.

SENATOR KELLY: Mr. President, members of the legislature I would like to make a few comments so that they will appear in the record. The sections that I will be talking about will have to do with the penalties that will be imposed under this bill. Specifically I am on page three where it says not less than one year nor more than fifty years. I believe that fifty years to be a completely over-reaching figure. I would like to have some discussion on it. Not necessarily to change the bill, because this may or may not be needed, but I believe that a penalty of a life time, of fifty years is just unbelievable and I would hope that members of this Legislature would talk to that point on the basis that that is a maximum that certainly we hope is never reached, and if it would be, and I can find out, that a 20 or 30 year would be a more acceptable figure to members of this legislature, I would offer that amendment on Select File. I would talk in the same vein of the fifteenth years in sub-section two of section four on the basis that if you make a penalty so high, you make the punishment so severe that I would be afraid that our judicial system will not impose those penalties that we would have plea bargaining and we would be charged under some other crime rather than the sexual assault as we want the charge to be. I believe as a person that if you want a bill not enforced put in real severe penalties and we will find ways to handle those for social conduct under some other statute other than the one it should be charged under.

PRESIDENT: Senator Goodrich.

SENATOR GOODRICH: Mr. President, I have a request of the Clerk. We have adopted roughly three amendments to this