

February 2, 1976

PRESIDENT: Any discussion? Senator Fowler.

SENATOR FOWLER: I was wondering if Senator Luedtke ... Senator Luedtke, when we bring it back are we going to take action on this today, or would we have a chance to look at the objections presented and discuss it tomorrow? Looking at it I'm not sure what problem the administration would have with this. I'd hate to move to strike it today without maybe some consultation.

SENATOR LUEDTKE: I think I can explain to you what problems they'd have, if you want to ask me.

SENATOR FOWLER: OK, but you are planning to debate it today on Select File then?

SENATOR LUEDTKE: Well I'd like to get it disposed of if we could.

SENATOR FOWLER: OK, I'd have no objection to bringing it back there.

PRESIDENT: The question is shall LB 275 be returned to Select File for specific amendment. Record your vote. Record.

CLERK: 25 ayes, 0 nays.

PRESIDENT: The bill is returned. Senator Luedtke.

SENATOR LUEDTKE: Alright, you got the next motion as to....

CLERK: Yes. Mr. President, the motion, regarding the specific amendment.... I move to adopt the following specific amendments. (Read amendment offered by Senator Luedtke found on page 504 of the Journal).

SENATOR LUEDTKE: Mr. President, I would move that we adopt the specific amendment to LB 275. This is in response to Senator Fowler's question, why is this necessary. If you will look at Section 15 of LB 275, and the only effect of this amendment is to strike Section 15 and then renumber the sections. Section 15 probably goes a little too far in the relationship of the committed person being able to have any appellate action on grievance and disciplinary actions at the institution together with the new public council position, another bill, which has not been passed yet, would take care of as it's coming along. In other words, we have Senator Clark's bill which has been put out on General File which will establish a position for the deputy ... public council to be sort of a neutral person to listen to grievances, to investigate cases at the Penitentiary and the Reformatory, or any penal institution. This is a good thing. This ... we would .... The Judiciary Committee is highly recommending that it be passed. However, if a committed person shall be dissatisfied with any action taken by any official or board rejecting ... regarding a grievance or disciplinary proceeding, this means that an individual could almost stop the machinery of any grievance or disciplinary action at any institution. It would mean almost a perfectly impossible situation for the Correctional Department ... or the officers in the