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LB 524

action at this time any person who has given a statement to another and who is then a party to a proceeding may obtain that statement from the other person to whom he gave the statement, and if the other person refuses to give it to him, that statement cannot be used against him. So in civil actions right now there is a considerable amount of precedent for what Senator Chambers is attempting to do in the grand jury proceeding.

SPEAKER MARVEL: Senator Murphy, do you wish to speak again?

SENATOR MURPHY: A point, if Senator Chambers would be good enough, you are saying then, Senator Chambers, that this section will give him access only to his own statements?

SENATOR CHAMBERS: Yes, that is all.

SENATOR MURPHY: Then in that case, I would withdraw that amendment, Mr. President, and would pursue this with another question to Senator Chambers. Relative to the witness a subpoena being refused, it would be cumbersome or unreasonable or oppressive, can we excuse our subpoena process with language that to me appears to be rather vague?

SENATOR CHAMBERS: Senator Murphy, could you refer me to where you are in the bill?

SENATOR MURPHY: Yes, page 10, subsection (b), Senator. You say that a subpoena may be refused under these circumstances, that he may be excused, and then it seems to me that that is rather vague and that I could raise all kinds of reasons why not under that language which would defeat the subpoena process.

SENATOR CHAMBERS: Senator Murphy, Senator Marsh just said she has been a witness and she would like to address herself to it, do you mind?

SENATOR MURPHY: No, not a bit.

SENATOR MARSH: It already is a matter of courtesy in some instances right now. When papers were served on me, I had planned to be out of town on the day I was asked to appear before the grand jury. I said to the persons who were in my office, I had expected to be and explained where I had expected to be and said would another day that week be all right and the day was verbally changed as of that particular moment. I then later heard that the day had formally been changed but this would allow the person who