

April 11, 1979

LB 378

amendments now. Okay, the motion is the Nichol amendments to the committee amendments to LB 378. All those in favor vote aye, those opposed vote no. We are voting on the Nichol amendments to the committee amendments. Have you all voted? Record.

CLERK: 25 ayes, 0 nays on the adoption of Senator Nichol's amendment, Mr. President.

SPEAKER MARVEL: Okay, the motion now is the committee amendments as amended. All in favor vote aye, opposed vote no.

SENATOR NICHOL: Mr. Chairman.

SPEAKER MARVEL: Yes.

SENATOR NICHOL: I have not explained the committee amendments, perhaps I should do that.

SPEAKER MARVEL: I thought that you had explained them. I'm sorry. Go ahead.

SENATOR NICHOL: You are correct though, Mr. President. I'll now explain the committee amendments as amended. I should have stated earlier that the judiciary attorneys have been working long and hard on this and we did invite the attorneys in this body to come and visit with us a couple of days ago for refinement purposes and for their ideas. We appreciate their ideas and they were very helpful. Mr. Chairman, I move for the adoption of the committee amendments. As originally drafted, LB 378 would repeal existing statutory provisions covering commitment and treatment of sexual sociopaths. The Judiciary Committee intended the original bill to be used as an inducement to bring the various groups interested in reforming practices together so that workable legislation could be arrived at for a two month period following the introduction of the original version of LB 378 the Judiciary Committee has worked intensely with county attorneys, defense counsels, psychiatrists, psychologists and rape crisis groups and the result is what you have before you in the amended version of LB 378. To my knowledge no group opposes this legislation. To my knowledge all constitutional questions previously raised regarding the treatment of sex offenders under the old sexual sociopath law have been anticipated, addressed and satisfied. Our present sexual sociopath law is actually a revision of the much older sexual sociopath law. In the past couple of years the present law has come under heavy constitutional attack in the following areas. First, mental health professionals contend that the term "sexual sociopath"