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LB 378

SENATOR HOAGLAND: The first four, Senator Cope, are additions that we are making to the bill and to the current statute. The last is an innovation that we are making to the current statute but that is already contained in the bill, the requirement that there be mandatory civil commitment proceedings undertaken.

SENATOR COPE: Senator Nichol, do you have an answer?

SENATOR NICHOL: Senator Cope, I would just say the original bill as it was written simply did away with the sexual socio-path law and the committee amendments that we adopted were really what we are talking about now, Senator Hoagland, so this amendment would be an amendment to the committee amendments which in reality are the bill now.

SENATOR COPE: Yes, and these are changes from the present statutes?

SENATOR NICHOL: Well, no...yes, they are because the new bill is a change from the present statutes. Now what we are adopting here now are simply procedures as to how the bill will be carried out which are the committee amendments.

SENATOR COPE: I would like to ask both of you just this question. Do you think that with these amendments that it strengthens the present statutes, keeps them about the same with some revisions or weakens it? I am curious to know very briefly and generally.

SENATOR NICHOL: I will answer first, Senator, if you don't mind. First of all, I would say that it strengthens it as far as the serious sex offender is concerned. For the misdemeanor such as exposing yourself or going in the alley or something of this nature where you may be arrested and be guilty of a misdemeanor, it eases up on those situations where those type of lawbreakers are not immediately sentenced to long rigmarole as to what is going to happen to them. So in answer to your question, I would say with the serious offenders I think it is stronger. With the misdemeanants I think it would be less. Would you agree with that, Senator Hoagland?

SENATOR HOAGLAND: Yes, I would concur with what Senator Nichol has said, Senator Cope. It takes the current law which is extremely complicated and which the Nebraska Supreme Court in four different opinions has raised constitutional questions about and it is simplifying that law considerably, and in the process of simplifying that law, we are having these automatic civil commitment proceedings instituted at