

April 9, 1986

LB 603

So I am objecting to the bracketing motion.

SENATOR CARSTEN: Senator DeCamp, please, on the motion to bracket.

SENATOR DECAMP: I will certainly support it. I would just say this, Nebraska pioneered the idea of central filing and spent a number of years getting it set up and it kind of appears to me that unless you allow the system to be certified to the feds, you might as well throw it out. Otherwise, you have eliminated about 80 to 90 percent of the purposes of it. I realize as a result of the federal law which nobody really anticipated happening, the double jeopardy thing went a different direction and those who would have liked to wipe out all the "double jeopardy laws" believe, maybe reasonably so, that they are in a position where by keeping us from complying or certifying, certifying to the feds, that they have, therefore, won the whole battle and, indeed, they probably will this year. But I will make a prediction which I kind of enjoy doing. The prediction is this, prenotification, as most states are trying, will prove to be a shambles within approximately a year to 18 months. The federal government will then have to come back and redo everything and you will end up probably with some kind of a central filing system or nothing at all, in other words, prenotification not being anything and the other system, central filing, being up to the states. So I support the bracketing because I suspect what Senator Johnson's motives are or exactly what he said to try to educate enough people on the significance of the particular issue that they can make a more judicious decision one way or the other come Monday. It is kind of really an interesting and rather large issue, believe it or not, and, I repeat, I am not sure there is much justification for all the system we have set up if you are not going to allow it to be used and that is essentially what we are doing by not getting ourselves certified to the feds. It is kind of like putting a brand new engine in an airplane and then taking off the tail so you can't fly it. But then, I am going to support the bracketing motion.

SENATOR CARSTEN: Senator Vickers, please, and then Senator Nelson.

SENATOR VICKERS: Mr. President and members, I oppose the motion to bracket. It is a clear attempt to give us a few days to be lobbied by a special interest that has a lot to be gained by this particular situation. And it seems to me that this