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LR 234

(Read). That will be laid over. Mr. President, LR 234
by Senator Goodrich. (Read). That, too, will be laid
over, Mr. President.

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SENATOR SCHMIT: It is because the Legislature, the executive can do nothing without legislative approval, therefore, we have been invited to participate.

SENATOR NEWELL: And lastly but not leastly, you assure us that it can in fact be changed if the public's decision is not that this is best for us, the Central states compact is best for us? That is, in fact, an assurance, right?

SENATOR SCHMIT: That is my assurance to you, Senator Newell.

SENATOR NEWELL: All right, with that in mind I will not oppose the resolution.

SENATOR CLARK PRESIDING

SENATOR CLARK: Senator Schmit, do you wish to close?

SENATOR SCHMIT: Thank you very much, Mr. President. I accept your gracious offer of support, Senator Newell. I hope it does not cost the resolution any support. I want to urge the body to support the resolution for the reasons I have given you earlier and I assure you that it is necessary that we proceed in the manner in which we are doing. I think that to do otherwise is an irresponsible act and I would hope that we will not do that. I urge the passage of the resolution.

SENATOR CLARK: The question before the House is the adoption of the resolution. All those in favor vote aye, opposed vote nay. Record the vote. Voting aye.

CLERK: Senator Clark voting yes. 36 ayes, 0 nays, Mr. President, on the motion to adopt the resolution.

SENATOR CLARK: The resolution is adopted. Next resolution is 234.

CLERK: Mr. President, LR 234 offered by Senator Goodrich found on page 942 of the Journal. (Read.)

SENATOR CLARK: Senator Goodrich.

SENATOR GOODRICH: Mr. President, members of the body, as the Clerk has just read, this is the resolution to remind the general public of the victims of crime. We passed this kind of a resolution in 1980 session. We passed it in the 1981 session, and now I am asking you to pass it in the 1982 session here, and just as a general reminder to the general public, to the judicial

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branch, and anyone else that there are victims of crimes that must be remembered when we are dealing with the subject of crime, the punishment of it, and the dealing of the general criminal codes of the State of Nebraska so that we are not doing that in a way that we are forgetting the victims of crimes. I ask you to adopt the resolution.

SENATOR CLARK: Senator Pirsch.

SENATOR PIRSCH: Thank you, Senator, and members of the body, I support the intent of Senator Goodrich's resolution. One out of four Nebraskans are the victim of crime and while many victims never report a crime, of those that do report a crime, 60% of the crimes reported are dropped because of the lack of cooperation of the witnesses who were the victims. Only a quarter of the thefts are reported. Less than half of robberies are reported. Less than half of burglaries and rapes are reported. Murder, rape and robbery assault has almost doubled since 1970 and only 73% of the nation's murders lead to arrest. Being victimized is disabling even when the crime is unsuccessful. When you have been raped or assaulted, your physical wounds heal but psychologically you are scarred. Now if you will remember, Nebraska has been in the forefront of many victim's programs. I have been interested in the needs of victims and witnesses for a long time and am a member of the National Organization of Victim Assistance. I do have an amendment to this resolution which is being passed around. Do you have a copy, Pat? In this resolution, or in the amendment to the resolution, Senator Goodrich has established the week of April 26th and nationally as well as a proclamation by President Reagan and Governor Thone will be proclaiming the week of April 18th for our remembering victims week, and with Senator Goodrich's approval, I would like to make that change in the resolution. Also changed in my amendment is the Forgotten (interruption)...

SENATOR CLARK: Senator Pirsch, we are not on the amendment yet but we will take it up right now. I will have the Clerk read it.

SENATOR PIRSCH: All right.

CLERK: Mr. President, Senator Pirsch would move to amend the resolution: (Read Pirsch amendment found on page 1037, Legislative Journal.)

SENATOR CLARK: Now on the amendment, Senator Pirsch.

SENATOR PIRSCH: Thank you. To make the dates consistent with our national and our Governor's proclamation, I would

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like to amend it to include the week of April 18th, and in the change from Forgotten Victims Week to the Victim Rights Week in Nebraska, I hope Senator Goodrich will approve of because I feel that now because of the actions of the Legislature we are remembering the victims in Nebraska. The Legislature has been in the forefront, as I said, with the domestic violence program, with our Criminal Reparations Board, and last year, LB 477, which I sponsored and you passed, which grants into statute for the first time victim's rights, rights for victims. The Nebraska Legislature has not forgotten victims but we do have to keep on remembering and assisting victims as much as we can. We also have established by your actions last year in LB 477 two pilot programs which have been established in Kearney and in Lincoln and are actively assisting victims right now through the criminal justice process which in the past has been probably more devastating than the actual crime action itself. So, therefore, to be on a more positive note, I would urge you to amend this resolution to say it is Victim Rights Week in Nebraska. The Nebraska Legislature does remember victims and has and will continue to be in the forefront assisting victims and so I hope that you do vote for the amendment and then vote for the resolution. Thank you.

SENATOR CLARK: Senator Goodrich, on the amendment.

SENATOR GOODRICH: Mr. President, members of the body, I have no problem with the date of April 18th but would Senator Pirsch yield to a question please. I am just trying to get an idea, Carol, what's the difference between Victims Rights and Forgotten Victims, the two sets of words, what is your distinction between the two?

SENATOR PIRSCH: The National Organization of Victim Assistance has been probably the most active nationally of any, and when they first instituted this, and I believe it was 1979 that I brought the first resolution, and the National Organization of Victim Assistance at that time felt that victims were indeed forgotten, and because of that, to bring that to people's attention, they called it the Forgotten Victims Week. Now we have come and in state after state we have established victims rights in the laws and we have looked at the problems of the victims. Now the National Organization of Victim Assistance as well as the Aurora group of victims rights has said, okay, we are starting to think about victims and now we know that victims have rights and, therefore, they have changed this nationally to Victim Rights Week.

SENATOR GOODRICH: Okay, thank you, Carol. I would accept the whole amendment just as she has offered it. I think it is appropriate.

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SENATOR CLARK: Is there any further discussion on the amendment? Senator Newell, do you want to talk on the amendment? Senator Kilgarin, on the amendment? It has already been agreed to, I guess.

SENATOR KILGARIN: Yes, thank you, Mr. Speaker, members of the body, I just rise to support Senator Pirsch's amendment. I think it is a very positive amendment. Nebraska has been in the forefront in recognizing victims. They are not forgotten in Nebraska. Not only have we remembered them, but we have, as Carol has pointed out, enacted legislation to aid them, and I think we need to make a positive statement and I think that the change in the amendment is a positive statement that we have remembered victims, and not only have we remembered them, but we are trying to do something for them. So I would urge your support for the amendment.

SENATOR CLARK: The question before the House is the adoption of the Pirsch amendment. All those in favor vote aye, opposed vote nay.

CLERK: Senator Clark voting yes.

SENATOR CLARK: Have you all voted? Record the vote.

CLERK: 28 ayes, 0 nays, Mr. President, on adoption of Senator Pirsch's amendment.

SENATOR CLARK: The Pirsch amendment is adopted. Now we are back on the resolution. Senator Sieck.

SENATOR SIECK: Thank you, Mr. President. I do support this resolution. I feel it is very important that we recognize the victims and I do have a bill that is a priority bill on the board to recognize this even more and compensate the victim for criminal justice, criminals that have happened to take advantage of them, and I would like to read a statement from Senator Laxalt from Nevada. "Over the past two hundred years, the criminal justice system in the United States has become overwhelmingly oriented towards the offender. In the past decade concern over rising expenditures for the detection, apprehension, and incarceration, and rehabilitation of offenders has led both citizens and public officials to question the traditional practices of the criminal justice system and to argue for more attention to the needs of crime victims. Last year in the United States there were over thirteen million crimes involving violence or loss of property. Over thirteen million crimes affecting over thirteen million

victims. These people have one thing in common. They have just entered the criminal justice system. Many rules and regulations during this course of their exposure to this system the victim or witnesses can expect to be moved around, inconvenienced, asked questions, and dictated to, all in the name of justice. The criminal justice system and its machinery are somehow overlooking the very people it was built to serve." And this is what Senator Goodrich is trying to do, to recognize the victim, that not everyone has forgot the victim. "Throughout this country one of the fastest growing grassroots movements is the one that concerns itself with the plight of the victim. This movement knows what can be done by citizens groups, by the police, and by the courts, if our society and its government begins to focus on the fair treatment of those law-abiding citizens who become victims of the crime." I have a bill before you later that will recognize the victim, and will cause the court and the judicial system if they cannot give restitution to the victim, they will say why they cannot give it. I think this is important so I really would endorse this resolution. I think it is a very important resolution. I want to commend Senator Goodrich for bringing it forward. Thank you.

SENATOR CLARK: Senator Schmit, you are the last one to talk on it that we have up here.

SENATOR SCHMIT: Just want to say this, Mr. President, it was 1978 I introduced the legislation which became the foundation for the Nebraska Crime Reparations Act. As Senator Pirsch has indicated, she has taken an interest in that as has Senator Sieck. I believe that this Nebraska Legislature by its legislation has more than most states demonstrated our concern for victims of crime but the resolution is another indication of our concern. I support the resolution. I support the amendment of Senator Pirsch. I hope that we will continue to support the kind of legislation that has been described on this floor which emphasizes concern with the victims of crime. I believe that is the principal place for this body to show their concern for the victims of crime. I certainly concur with the resolution but I believe the principal place is on that legislation because that is where we can really in effect make our opinions felt.

SENATOR CLARK: Senator Goodrich, do you have any closing?

SENATOR GOODRICH: Just the comment to the effect that I think this resolution after adopted should be circulated and anyone wishing to add their name as an introducer of the resolution is perfectly welcome to do it.

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SENATOR CLARK: All those in favor of the resolution will vote aye, opposed vote nay.

CLERK: Senator Clark voting yes.

SENATOR CLARK: Record the vote.

CLERK: 38 ayes, 0 nays, Mr. President, on the adoption of the resolution.

SENATOR CLARK: The resolution is adopted. Resolution #238.

CLERK: Mr. President, the first item I have on 238 is a request by Senator Newell to add his name as coinstructor.

SENATOR CLARK: No objections, so ordered.

CLERK: Mr. President, LR 238 offered by Senators Koch and Newell found on page 982 of the Journal. (Read.)

SENATOR CLARK: Senator Koch.

SENATOR KOCH: Thank you, Mr. Chairman, and members of the body. Dr. Knutzen I think deserves our acknowledgement of his outstanding service. He served the public schools of Omaha for thirty years, fifteen as superintendent. I would only remind you of the accomplishments of this individual in these last several years. One is that the desegregation program of Omaha is considered to be a model in this nation, nonviolent, very successful, and he has also survived zero lid of that system for two years which was very successful. He survived district elections with all his board members which has been unique. He has survived some declining enrollment. He has also survived a number of other issues which are just as critical. At the same time the Omaha Public School systems are considered to be one of the most outstanding large school systems in this nation and he is also considered to be, in that field of large urban centers to be an outstanding administrator. And all you have to do is read his accomplishments and awards to realize that Nebraska is losing the service of an outstanding school administrator and I, as an individual, want you to acknowledge his service properly and appropriately. Thank you.

SENATOR CLARK: Senator Newell.

SENATOR NEWELL: Mr. President, I rise to speak in favor of the resolution. I want to say that Dr. Knutzen, I have not always agreed with his tactics, his style, but the one thing that can be said for Dr. Knutzen is he has been extremely

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LB 571, 687, 817, 841, 852

PRESIDENT LUEDTKE PRESIDING

PRESIDENT: Prayer this morning by Pastor Leland Oswald,
First Mennonite Church here in Lincoln.

PASTOR LELAND OSWALD: (Prayer offered.)

PRESIDENT: Roll call. Have you all registered your presence?
Record the presence, Mr. Clerk.

CLERK: There is a quorum present, Mr. President.

PRESIDENT: A quorum being present, Mr. Clerk, are there
any corrections to the Journal?

CLERK: I have no corrections this morning, Mr. President.

PRESIDENT: The Journal will stand as published. Any
other messages, reports or announcements?

CLERK: Mr. President, your committee on Enrollment and
Review respectfully reports we have carefully examined
LB 817 and recommend that same be placed on Select File with
E & R amendments; and LB 852 with E & R amendments.

Mr. President, your committee on Miscellaneous Subjects
whose Chairman is Senator Hefner instructs me to report
LB 687 advanced to General File with committee amendments
attached; and LB 841 advanced to General File with committee
amendments attached.

Mr. President, LR 231, 233, 234, 237, 238, and 239 are ready
for your signature.

PRESIDENT: While the Legislature is in session and capable
of doing business, I propose to sign and I do sign LR 231,
LR 233, LR 234, LR 237, LR 238, and LR 239.

CLERK: Mr. President, Senator Clark would like to print
amendments to LB 571 in the Legislative Journal.

PRESIDENT: All right, Mr. Clerk. While we are waiting to get
started I think that we should recognize that Senator Kil-
garin is going to have...she is really getting old, she is
going to have a birthday tomorrow, I think all of 24, is
that right? I think we should all wish her a happy birthday,
particularly since she is supplying cookies this morning.
Happy Birthday. Senator Labeledz, we probably ought to con-
sider whether you want to go with LB 824 on motions.