

April 1, 1981

LB 205

I think this bill is not good and you can get rid of the whole issue once and for all by returning it to Select File, striking the enacting clause, then between now and next year let Senator Newell, the County Attorney's office in Douglas County, the police division, the fire division, all come together with a bill if they all agree that such a thing is necessary. Remember, if an arson is a felony it must be prosecuted by the county attorney's office. That is the position where the felonies are handled. The county attorney is not clamoring for this bill. The county attorney, to my knowledge, has not given any information that indicates that arson charges cannot be prosecuted because this bill is not on the books. It clutters the statutes. It clouds the status of what a law enforcement officer is in this state. So I hope that you will not tinker any more with the bill but go ahead and bring it back and strike the enacting clause.

SPEAKER MARVEL: The motion is to return the bill to Select File and strike the enacting clause. All those in favor of that motion vote aye, opposed vote no. Have you all voted? Have you all voted? Senator Chambers.

SENATOR CHAMBERS: I would like a roll call vote.

SPEAKER MARVEL: All legislators need to be in your seats and the unauthorized personnel needs to leave the floor. And record your presence. Senator Lowell Johnson, will you please record your presence? Senator Cal Carsten, will you please record your presence? You have? Okay. We are ready for the roll call vote. There are six absent and the others have been accounted for. Ready to call the roll? Okay, call the roll.

CLERK: (Read the roll call vote as found on page 1239 of the Legislative Journal.) 8 ayes, 32 nays on the motion to return, Mr. President.

SPEAKER MARVEL: The motion lost.

CLERK: Mr. President, Senators Beutler and Hoagland move to return LB 205 to Select File for a specific amendment, and the amendment is on page 1046 of the Journal.

SPEAKER MARVEL: 1046?

CLERK: Yes, sir. Withdraw that one, Senator? Okay, Mr. President, Senators Beutler and Newell move to return