

January 8, 1982

LB 465

SENATOR PIRSCH: Right.

SENATOR BEUTLER: And that results from some testimony from some people at the public hearing on the original bill which was a different question. Is that correct? When you were talking about good time and credit and concurrent sentences at the public hearing, that was the published notice?

SENATOR PIRSCH: Right.

SENATOR BEUTLER: Okay, and then some people came in, some correctional officers who thought some additional things should be done and your amendment resulted from that. Is that correct?

SENATOR PIRSCH: They felt they needed the same consecutive sentencing for the state level. And at the time that we researched that, then we discovered that also that was eliminated in the 1978 criminal code. Also in the 1978 criminal code we discovered were these statutes on peace officers who are performing their duty and the Nebraska Crime Commission called it to my attention that the study which showed that in the last three years there had been a rise in assaults on police officers.

SENATOR BEUTLER: Okay, thank you. Mr. Speaker and members of the Legislature, I would strongly recommend that this amendment not be adopted until the Judiciary Committee has had an opportunity to hear both sides of the question. I think what has happened here and I think Senator Pirsch is to be commended for picking up on it, is that certain people have come in and in addition to talking about what was publicized in the public hearings made additional comments on additional things that they thought needed to be done. But by virtue of the situation in which this has arisen, those who are on the other side are those who would have a balanced view. Many, many elements of the criminal justice system did not have an opportunity to comment on these extensive amendments that are now appearing before us today. Now if this were a small matter you might overlook that. But this is not a small matter and the revision of the Nebraska criminal code which took place when Senator Schmit was here and some of the older members of this Legislature, took many, many hours. It was done under Judge Carter of the Supreme Court and a staff of people and then it was done under the law enforcement agency here in this state, basically with some federal funds by an agency that was really promoting the enforcement of law. A great deal of time and thought went into that code, and I think that we owe respect