

March 15, 1982

LB 202

they need this. But as it stands now as far as our citizens are concerned, I don't think it does a bit of good with what we have today. I encourage you to vote for 202.

SENATOR LAMB: An amendment on the desk.

CLERK: Mr. President, Senators Beutler and DeCamp would move to amend the Beutler-DeCamp amendment previously adopted by adding the following language: After the word "of" found on page 1, line 14, "any officer of the law or".

SENATOR LAMB: Senator Lamb.

SENATOR BEUTLER: Mr. Speaker, members of the Legislature, I want to be very cautious in approaching the problem that Senator Higgins suggested. The problem that she suggested was that perhaps in transferring a prisoner when the prisoner was in the custody of a police officer that in that instance they were not under the care, custody, or control of the jail, or correctional, or penal institution. Well, I think that they would be interpreted to be under the custody of whatever jail had custody of them at that particular point in time because that police officer would be essentially employed by that jail, but I, myself, feel the same way that Senator Higgins does that I do not...I certainly do not want that situation to be not covered. So what this amendment does is adds the words "any officer of the law", so that if you are under the care, custody, or control of any officer of the law or under the care, custody, or control of any jail, or correctional, or penal institution, either way, it is covered for sure so that the situation that Senator Higgins brought up is covered by both interpretations. Thank you.

SENATOR LAMB: We have several lights on now but several of those were on before the amendment. Senator Pirsch, did you wish to address the amendment?

SENATOR PIRSCH: Thank you, Senator Lamb, members of the body. As you know I have had other legislation introduced which protected officers of the law, assaults behind correctional walls, but I do not support this amendment. I think that our citizens, our elderly in our communities, our young, the victims of the murderers that we are debating the futures of today ought to be as covered as our law enforcement officers and as our correctional officers. Senator Beutler, I have a question for you if you would yield. Does this cover...

SENATOR LAMB: Senator Beutler.