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FLOOR DEBATE

May 19, 2003

LB 43, 133

LB 133, presently a peace officer does what if a juvenile needs EPC?

SENATOR BRASHEAR: Senator Burling, you have, with piercing insight, gone immediately to the issue that I...and I should have just laid it out that way. The issue is not clear. That's exactly why we're proposing what we're proposing here. It is not clear whether the peace officer can hand off to the probation officer or how that is to be resolved, so we are continuing fixed responsibility in the peace officer until that decision has been affirmatively made appropriately.

SENATOR BURLING: Thank you. Under this bill then, what about a situation where the juvenile is not on probation?

SENATOR BRASHEAR: The peace officer would still continue to be the individual whom we are looking to for a decision as to whether the juvenile should be in detention or should be released. In other words, the peace officer can't drop them off somewhere and have that responsibility affix to someone else without statutory authority.

SENATOR BURLING: Okay. Thank you. I support the bill and I'm trying to support the amendment and I think I will. I just had those questions and thanks for the bill, Senator Thompson and Senator Brashear. Return my time to the Chair.

SENATOR CUDABACK: Thank you, Senator Burling. Further discussion on the amendment offered by the Judiciary Committee? Senator Thompson.

SENATOR THOMPSON: Thank you, Mr. President. There was some question early on with law enforcement on this particular aspect of it. They always had that responsibility and I think the probation officers in a lot of the communities have met with some of the people who had some concerns. One of the concerns is that the ability of Health and Human Services to take custody from them and I do have an interim study on that issue. But the department came in and testified that they realize that they needed to get up to speed in some areas of the state where those may be issues, and they did support this bill and know that this