LBs 202-240 for the first time by title. See pages 100-108 of the Legislative Journal.)

Mr. President, I have a notice of hearing by Senator Rod Johnson who is Chair of the Agriculture Committee for Tuesday, January 17.

Mr. President, Senator Hannibal would like to announce that Senator Conway has been selected as Vice-Chair of the Intergovernmental Cooperation Committee.

Mr. President, a new resolution, LR 3. It is offered by Senator Baack and a number of the members. (Read brief explanation. See pages 108-109 of the Legislative Journal.) That will be laid over, Mr. President.

Mr. President, I have a request from Senator Smith to withdraw LB 112. That will be laid over. I believe that is all that I have, Mr. President.

PRESIDENT: Senator Lynch, are you ready to go back to work now? We will return back to adopting of permanent rules. Senator Lynch.

SENATOR LYNCH: Mr. President and members, I have one more proposed committee amendment, simple little amendment. It has to do with cloture. This change would adopt a cloture rule that would become effective after 12 hours debate at each stage of debate on any appropriation bill, and after 8 hours at each stage of debate on all other bills. To briefly explain it, and then Senator Moore will take it from there, let me give you a scenario. Some of you may be familiar with 428, the motorcycle helmet bill. It was my bill. An amendment, say, was offered under this rule by Senator Moore to the bill. As you know, sometimes amendments can take and need more time for discussion and debate than the bill, itself. After 8 hours of debate on Select File, I would move for cloture, or if that bill happened to be a committee bill, the chairman of the committee would move for cloture. The presiding officer then, under this proposal, would immediately recognize the motion and orders debate to cease on Moore's amendment. The vote on the Moore amendment would be taken without further debate. After that, a vote on the cloture motion without debate, 33 votes would be needed for that motion on cloture would be successful. If the cloture motion were successful, a vote on the advancement of the bill,

bill, Mr. President.

SPEAKER BARRETT: LB 155 is advanced. Messages on the President's desk, Mr. Clerk?

ASSISTANT CLERK: First of all, Mr. President, a reminder that the Urban Affairs Committee is having a short Exec Session at one o'clock in the Senator's Lounge. That's from Senator Hartnett. Revenue Committee, whose Chairperson is Senator Hall, refers LB 346 to General File; LB 437 to General File; LB 329 to General File with committee amendments; and LB 504, indefinitely postponed. (See pages 877-78 of the Legislative Journal.)

New A bills. (LB 449A and LB 250A read by title for the first time. See page 878 of the Legislative Journal.)

A series of name additions. Senator Bernard-Stevens to LB 218 and LB 330; Senator Lindsay to LB 478; Senator Hartnett to LB 335; Senators Peterson, Rogers and Beyer to LB 809. That's all that I have, Mr. President.

SPEAKER BARRETT: Thank you. Senator Schimek, would you care to adjourn us until Monday.

SENATOR SCHIMEK: Mr. Speaker, I move we adjourn until Monday, February 27th, at nine o'clock.

SPEAKER BARRETT: Thank you. You've heard the motion. Those in favor say aye. Opposed no. Ayes have it, motion carried, we are adjourned.

Proofed by: Marilyn Zank
Marilyn Zank

PRESIDENT: Senator Lindsay, please.

SENATOR LINDSAY: Mr. President, I would move the adoption of the E & R amendments to LB 330.

PRESIDENT: You've heard the motion. All in favor say aye. Opposed nay. They are adopted.

CLERK: Mr. President, Senators Pirsch and Bernard-Stevens would move to amend the bill.

PRESIDENT: All right. Senator Pirsch, please. Senator Pirsch, before you begin, (gavel). Could we hold it down a little bit, we're having a little trouble hearing the speakers. We'd appreciate it, if you would.

CLERK: Senator, I have AM1366 in front of me.

SENATOR PIRSCH: Pardon?

CLERK: AM1366 is the amendment I have. (Pirsch and Bernard-Stevens amendment is on pages 1865-66 of the Legislative Journal.)

SENATOR PIRSCH: 1366, okay. Do you know what number, what page it's on?

CLERK: It's not printed, Senator.

SENATOR PIRSCH: Well, I believe Senator Bernard-Stevens probably has a copy, and I don't, I don't know where he is right now...

PRESIDENT: I don't see him at the moment.

SENATOR PIRSCH: ...because we should pass those copies out so that the members will be aware. But until he gets here, I can tell you that the amendment to 330...thank you...is essentially LB 218, which was heard before the Judiciary Committee and which we would like to amend into LB 330. If you want to look in your bill book, then you can see that. We also are passing around a copy of the study that actually I found in the sociology book when I took a course at UN-O, which kind of confirmed the whole premise of LB 218. We're talking about domestic violence here. When you're dealing with domestic violence and the police are

called on the scene, sometimes the best time to alleviate the situation is to physically remove that person from the scene. And so we are saying along with the mandatory arrest that 330 principally has, where a person has a protection order, there is no doubt that that person would be arrested, if they have that protection order and that is on record. But we are saying, and law enforcement asked us in that hearing on LB 218 if we would give them more flexibility when they go into a situation like this and can allow them to apprehend or to take physically away from the scene that person who is causing the violence. The study that I'm passing out was a field experiment in Minneapolis, and it did show graphically, and they are reproducing this same study in other cities right now, that the objective of this study was to determine which of the three alternative police responses would be most effective in deterring future violence, future domestic violence. And the clearest finding of this experimental study in Minneapolis was that suspects arrested in domestic violence cases were less likely to be involved in violence at a later date. Specifically, suspects who were arrested and temporarily incarcerated were less likely to appear on police records in the next six months. Something that has come up again and again in the years that we have worked on the domestic violence scene is the fact that some times the violent perpetrator, and this is generally the man in the case of domestic violence, don't really confront the fact that beating their wife and their children is a crime, and it's a crime against society as well as against their family. Sometimes when that person is confronted with the arrest situation, the taking away and the facing the fact that the assaults and domestic violence is a crime in this state, that they do come to the realization. They are able to go before the court and the court can assign them help and the court can see that as a condition of probation that they go to some of these seminars and some of these self-help groups that can help them deal with this problem of violence. It takes more than just someone telling them that this is wrong. It takes a deep emotional and personal confrontation of what they are doing and help from others so they can break this pattern of violence in our families. To that end then, we are asking that you amend LB 218 into LB 330, so it gives that flexibility to the law enforcement officer, along with the protection of the protection order. Thank you, Mr. President.

PRESIDENT: Thank you. Senator Chambers, please.

SENATOR CHAMBERS: Mr. Chairman and members of the Legislature, I'm opposed to this amendment. First of all, as Senator Pirsch pointed out, LB 218 did have a hearing before the Judiciary Committee and the committee chose not to advance the bill. So this is an attempt, by way of amending a bill, to pull a bill from committee, which the committee felt should not be advanced. I wanted that stated so that it's clear in the record. What you need to understand, in terms of what is being done here, is that an amendment is being offered to allow an arrest without a warrant, that is what is being done with this amendment. The bill, as it was originally written, was designed to require an arrest, if one of these protective orders is being violated, and that's the basis on which LB 330 was sold to the Judiciary Committee, advanced to the floor and moved across from General File. There are many who are uncomfortable, including myself, with the mandatory arrest provision, but at least there had to be a protective order that was being violated. In this instance, if you adopt this amendment, there need not be a protective order, there need not be a warrant that the officer has. He or she can come to the situation and make an arrest. And I want you to look at some of the language, when you get this amendment, that would justify an arrest without a warrant. Threatening another in a menacing manner, that means, and those of you who have had families, and everybody in here was at some point a member of a family, would be in a situation where, if one of these menacing threats is engaged in, it doesn't have to result in injury, it doesn't have to pose a threat of immediate injury, just a menacing threat and an officer can come in and make an arrest without a warrant. I think that I am as much concerned about the welfare of children as anybody on this floor. I demonstrate it by traveling all over this state to talk to young children. I'm going to various schools to read to them, and I'm going way out to Loup City, after we get through here tonight, to talk at an Honor Society induction for some young people who requested me to do this. And I've been doing that around the state, so I have a genuine concern for children. But there is also consideration that should be given to how intrusive law enforcement is going to be allowed to be when we're talking about the family setting. You are not talking, in this amendment, about somebody who has been battered, who has even been struck, or who has been placed in danger of eminent injury, none of that. If a threat, in a menacing way, is made, then an officer can be called in to make an arrest without a warrant. I think this amendment is overbroad, LB 218 was overbroad and that's why the committee didn't want it. And I

think it would be very unwise for the Legislature to do this thing. But I'm going to ask the Chair for a ruling. Mr. Chairman, this bill, LB 330 had the specific design of allowing an arrest in the case of the violation of a protective order. This amendment is radically different from that by requiring, without any order from any court, an arrest without a warrant. I would like to have a ruling as to whether or not this amendment is germane.

PRESIDENT: Okay, thank you. Senator Pirsch.

SENATOR PIRSCH: I do point out that this does amend 29-404.02, which is specifically in the first page of the bill, that exact, same section.

PRESIDENT: I'm going to rule that this is germane based on the fact that it's related and it's pretty close to what we're talking about here. Senator Chambers. Okay. We're back to the Pirsch amendment. Senator Bernard-Stevens, did you wish to talk on the Pirsch amendment? All right.

SENATOR BERNARD-STEVENS: Thank you, Mr President. The amendment that is now being handed out is technically LB 218. So, for those of you that have been wondering where the amendment is, or what the amendment has, it should be on your desk at this point, or it's LB 218, which is...was still in the...is still now in the Judiciary Committee. What we have in the State of Nebraska...this deals with domestic violence. There are two basic bills that were introduced this session on domestic violence, LB 330, which is before us now, and LB 218 which was also introduced as a companion bill with LB 330. LB 218 was not advanced, nor was it killed. And Senator Pirsch and I have, for discussion sake, brought this amendment to the floor for discussion, knowing that it could be somewhat controversial. There are many situations out in Nebraska at this particular point. We have a law on the books and the law on the books is confusing to law enforcement officials. In some counties and some cities, such as Lincoln's county, police have done a more aggressive role and interpreted that they may arrest in certain situations, or they can arrest in certain situations on domestic violence. Other counties, such as in my home county, Lincoln County, and other counties throughout the western part of the state, they have not aggressively interpreted the law. They felt uncomfortable with aggressively interpreting the law. They wanted the law to specifically say

to them what they could or could not do. What LB 218 is trying to, or this amendment now, which is LB 218, is trying to appeal to is a sense of what do we do in cases of domestic violence when a police officer is called to a scene and all of a sudden the person who is doing the violence has done a total 180 degree turnaround in personality. The police officer comes, the person who has been involved...that has actually done the violence in the area is now calm, you do not see a particular cause that anything may have done...that something may have happened, a felony or misdemeanor may have occurred, but you know something happened. It may be a spouse, it may be a live-in, it may be a joint...couple that has a child that are unmarried. The police officers have to make judgments, has something happened, has something not happened? What has traditionally happened in many parts of our state is the police officers may take one away temporarily, walk around the block, they may take one separately and discuss the issue, but they do not feel that they have the authority at this point to make an arrest. And what we find and what the study shows are two-fold; one, when the police officer does not aggressively, because they do not feel comfortable with the current statutes, when they leave the situation many times, too many times, way too many times violence then occurs. The aggravating party is aggravated further because someone called the police and violence then occurs, and it is unfortunate. Others things that begin to happen is that studies have shown through other states that when the police have definite, clearly stated laws that they can arrest that the domestic violence and repeat violence, in these cases, has significantly dropped. What we are doing in this amendment is not doing something new. The law is being interpreted now that they can aggressively go out and arrest in domestic abuse cases. However, the law is also significantly vague so that not all law enforcement officials feel comfortable with that. We are merely going to clarify what those institutions, what many law enforcement officials are now doing...

PRESIDENT: One minute.

SENATOR BERNARD-STEVENS: ...so that all law enforcement officials will feel comfortable. I might point out that on line 7 of the amendment, and again we're on AM1366, a police officer may arrest a person, it does not say shall, it says may arrest. Then you get down to the bottom part of 19, if they've committed a misdemeanor in the presence of the officer or, and it's very short, one or more of the following acts to one or

discretionary or it's not.

SENATOR BERNARD-STEVENS: Why don't I let you finish on your time and I'll explain it on mine and then you...I'll...you can ask question then, if you like.

SENATOR CHAMBERS: All right. An assertion, under the present state of the law, an officer may make an arrest under these circumstances. With the Bernard-Stevens-Pirsch amendment an officer, under these circumstances, may make an arrest. If it's not mandatory, nothing has changed. And, if it's made mandatory, then the law is placed in a shambles because then we've put it in a position where anybody making a charge can mandate that somebody else be arrested. This is terrible legislating that we're doing on this bill, and I want the record clear on what my position is and how I've distanced myself from it. The Judiciary Committee, remember, did not advance LB 218, and this amendment is LB 218 to be amended into this bill, LB 330. I hope you will vote in favor of my amendment to strike that line that says "Threatening in a menacing manner."

SENATOR LABEDZ PRESIDING

SENATOR LABEDZ: Senator Chambers, you still have four minutes.

SENATOR CHAMBERS: Oh, I forgot I was opening. Then maybe that would be enough time for Senator Bernard-Stevens and I to engage in a little back and forth. Senator Bernard-Stevens, we have four minutes. I'm going to ask the questions again. Under the current state of the law, where warrantless arrests are allowed, do you agree that in the case of a misdemeanor, of the kind we're talking about in your amendment, an officer may make an arrest but is not required to?

SENATOR BERNARD-STEVENS: The way the question is worded that is correct.

SENATOR CHAMBERS: Under your amendment, how is that changed?

SENATOR BERNARD-STEVENS: We have a couple of minutes, is that correct?

SENATOR CHAMBERS: Yes.

SENATOR BERNARD-STEVENS: Okay, can I use a minute of that?

SENATOR CHAMBERS: Oh, sure.

SENATOR BERNARD-STEVENS: Okay. Under the....Senator Chambers, you are absolutely correct in many areas of what you've just said. There are a couple of areas that I feel that you are incorrect. What this amendment would change, the amendment...the Pirsch amendment to LB 330, under the current law on domestic abuse that was passed sessions ago, it would permit peace officers to intervene at an earlier time than they could under existing law because under existing law it requires a reasonable belief that a felony or misdemeanor had actually been committed, had actually been committed. But when you walk into a home and the gentleman or lady who has done the violence has made a 180 degree total change in personality, you cannot tell, in many instances, whether a misdemeanor or felony has been committed. This amendment would simply say it is also within the discretion of the police officers to say if there is a threatening manner, and as the amendment goes on to say, if they reasonably believe that there is a possibility of that, and I understand that is vague,...

SENATOR CHAMBERS: Okay, let...

SENATOR BERNARD-STEVENS: ...I understand that.

SENATOR CHAMBERS: Now let us go on. Here's what I'm telling you, that line about the threatening manner is currently a misdemeanor. That is a misdemeanor under the current law. Under the assault statutes threatening another in a menacing manner is a misdemeanor now. So, if that is the law now and that would justify an arrest now, and all your amendment is doing is saying the same thing over here, what have you added to the law? Nothing. LB 218 was a poorly...it was an ill-advised bill, it was unnecessary. This amendment is unnecessary. And when Senator Bernard-Stevens gets his time, he will be able to go into greater detail as to why the Legislature should pass a law to say what the law already clearly says.

SPEAKER BARRETT PRESIDING

SPEAKER BARRETT: One minute.

SENATOR CHAMBERS: Officers are still going to be reluctant in the absence of the protective order, that's separate from what

Mr. President.

SPEAKER BARRETT: Senator Pirsch.

SENATOR PIRSCH: I would like to set the record straight, too, as far as LB 218. As you know, Judiciary Committee had a great many bills and, quite frankly, LB 218 never came before us to be voted on, so I did want to add that to the record. And, of course, LB 330 was my priority, and that is why it even came up before us. I think that we should remember just a few points. The results of that Minneapolis study showed that when the offender is arrested there are fewer repeat calls to domestic disturbance scenes, that is recidivism is reduced, the person gets the help they need to deal with their anger or their frustration. Nebraska State Statutes 29-404-02, 29-404-03 and 29-427 govern police officers' arrest powers. As long as probable cause exists for an arrest, an officer may arrest regardless of whether he or she saw the misdemeanor offense. What Senator Bernard-Stevens has brought up is the fact that because of county attorneys across the state, because of law enforcement across the state, that they came before the Judiciary Committee and asked that we...well, and for a year before that we were working on this, that we put into that 29-404-02, that kind of instances where they may use their discretion to cool off a hot domestic violence incident. Now a computer cannot replace the police officer at the scene of domestic disturbance calls. It does rely on the officer's senses and they will still determine whether probable cause exists for the arrest of an individual. This just adds the backup that an officer needs when he uses that discretion and supports and confirms the officer who, quite frankly, is very nervous in domestic violence cases. That's one of the toughest calls that a police officer or a law enforcement officer makes. The policy decision then is that we have to decide that if the misdemeanor did not happen in the presence of the officer, but there is probable cause to believe attempting to cause or intentionally, knowingly or recklessly causing bodily injury with or without a deadly weapon or there is the threat in a menacing manner which, as Senator Chambers pointed out, has been identified, it has been defined and there are court definitions on threatening another in a menacing manner, and then goes on to tell who the household members shall be. That is a policy matter if we want to give that police officer that discretion in those times. And while the statistics from the Minneapolis Police Department are inconclusive, the incidence of officer

I just have a couple of questions. I feel somewhat close to it because I think it happens to all of us. Right here in Lancaster County, a young sheriff was killed a year or two ago when he went to answer a domestic abuse call and the man came to the door and shot him, and the young widow lived in my block, so, you see, we all...it's very close to all of us if we start examining who we know and what happens in our own communities. I have a couple of questions maybe Senator Kristensen could answer for me.

SENATOR KRISTENSEN: Sure.

SENATOR CROSBY: Since you're on the committee and there...in the first...Senator Bernard-Stevens said something that the peace officers were coming and saying they had a hard time making these decisions, but the only peace officers who testified was Ron Tussing, our sheriff, and he was neutral. Did actually most of this come from the groups who work with families and so on, actually? Is that the background or...?

SENATOR KRISTENSEN: Well, I don't have that...I've got to tell you, it's been so long since...I remember that hearing, we had so many of them in committee I don't...

SENATOR CROSBY: Oh, okay.

SENATOR KRISTENSEN: ...and there is not a statement in the bill book that testified who was for and who was against it, so I don't have those right off.

SENATOR CROSBY: Well, this lists...most of the proponents were people who were related to the support groups and the counselors and that kind of thing, right?

SENATOR KRISTENSEN: My recollection of all that testimony was that we have a lot of people who are very concerned about domestic violence. These support groups are strong advocates. The problem I see is in the practicalities.

SENATOR CROSBY: Mmmm, hmmm. On LB 218, one other statement was made that I didn't quite understand. You did have a hearing, right?

SENATOR KRISTENSEN: Yes.

and search your long recollection, we may be able to come to that conclusion again. I might point out that it's the Judiciary Committee who saw so many bills that it was difficult for them at the end to even get all the bills, decide what they're going to do and many of them carried over. They didn't have enough time really to go through everything, so it's no wonder that sometimes we're a little fuzzy on some of these as they come up, areas that are very, very important to some of the rest of us. I'd like to point out something else that was talked about. Senator Chambers alluded to it in his little colloquy with Senator Kristensen. He said, and I hope the body did not take it too seriously, he said, hey, we've already got this, it's bad legislation, it's bad policy. If you look on the amendment particularly on page 1, line 18, the section (d) says, has committed a misdemeanor in the presence of the officer. I state that again, in the presence of the officer. Now what happens if it hasn't been in the presence of an officer? Now Senator Chambers and Senator Kristensen are correct, now a decision comes, it's decision time. We could have done one of two things on this amendment, on this bill, LB 218. We could have stricken that line or we could have clarified further. We chose to clarify it further on lines 19 to the following page to say, hey, by the way, it is confusing. If it is not in the presence of the officer, we want to clarify it a little bit further, here is some other things we can do. Now Senator Chambers, in the amendment, wants to strike line 3 on page 2, threatening another in a menacing manner. That's one of the things that is at the discretion of the police officer. If he feels there is a threatening situation of one person to another, if the police officer feels in his judgment, and Senator Kristensen is correct, these are all crucial judgment decisions. This bill will not take away judgment calls. It will not take away judgment calls. It will not also set up marginal calls either. This bill will legislate to the police officers and give them the power in a threatening situation to say in a domestic violence now,...

SPEAKER BARRETT: One minute.

SENATOR BERNARD-STEVENS: ...in domestic violence only, we've got the power to separate, to take away, to arrest and we know that by arresting a domestic violence case the repetitive domestic violence cases go down. This is not bad policy, this is not bad legislation, this is clarifying language that people in the field, not people here sitting in cushy chairs, people in

the field who are coming to us and saying, hey, we need some help here. You may think it's clear, we don't, and LB 218 clarifies that. It keeps in it has to be in the presence of an officer, but it also goes on in the next line, so that's the second page, and clarifies and maybe we can save a child abuse some day. Maybe we can save a mother or even a father from being abused by another...if his wife is with somebody else and he comes, those are domestic violence cases.

SPEAKER BARRETT: Time.

SENATOR BERNARD-STEVENS: We've expanded that area. This is not bad legislation. I urge you to defeat the Chambers amendment and to support the Pirsch amendment. Thank you.

SPEAKER BARRETT: Thank you. Senator Haberman is announcing that he has some guests in our north balcony from Stratton, Nebraska, Linda Zahl and 10 high school students. Would you folks please stand and be welcomed. Thank you. We're glad to have you with us. Senator Nelson, additional discussion, followed by Senators Chambers and Langford.

SENATOR NELSON: Mr. Speaker, members of the body, I do have the privilege of serving on the Judiciary Committee, and for my part, I would like to clarify a few of the statements made on the floor this morning. I was going to keep out of this discussion, but I think there is some distorted views and statements being made. I wish that Senator Chizek was on the floor. I serve in Judiciary Committee and I don't think my memory is failing me in the least. This bill was discussed to some extent. I don't think an actual vote was taken on it. I'm not sure whether Senator Pirsch was there that evening that we discussed it or not. If I recall, I don't think she was and I guess it doesn't make a difference whether she was or wasn't, but there were problems and there were concerns on this bill and naturally I have a statement of some of the sheriff's association. I would like to know from Senator Stevens just exactly how many people beat on his door for passing LB 218 that actually understood what is in LB 218. Many, many groups and associations, it is a problem, we all have that concern out there. But, again, there is no simple solution and I just simply want to clarify that that is the reason the bill did not move out of the Judiciary Committee. I don't want to blame Senator Chambers or Senator Stevens or anyone else, but there were some problems and some concerns and that's exactly why it

didn't. My local sheriff said, there are two bills introduced, LB 218 and 330. The bills appear they would reduce domestic violence. Sure, it sounds good and so on, but let's get down to we're making laws and that's the reason LB 218 did not move out of Judiciary Committee. My memory is not failing me. I serve on that committee and that's exactly why the bill was held in committee because we could see, as members of the Judiciary Committee and heard the testimony, that there was work that needed to be done on the bill and I just wanted to clarify that for the record. Thank you.

SPEAKER BARRETT: Thank you. Senator Chambers.

SENATOR CHAMBERS: Mr. Chairman and members of the Legislature, part of the difficulty in dealing with a bill like this is that people confuse the goal of it with the law we're attempting to enact to try to get us to that goal. I don't know whose advising, given Senator Bernard-Stevens's legal advice, but I want to read to the body and into the record what existing Section 28-310.1(b) says. Assault in the third degree: A person commits the offense of assault in the third degree if he threatens another in a menacing manner. Senator Bernard-Stevens and Senator Pirsch's amendment says that a warrantless arrest can be made if one is guilty of threatening another in a menacing manner. The language is taken from the existing law of assault. If a person makes a threat in a menacing manner now, that is a misdemeanor under the present law. Under the Bernard-Stevens-Pirsch amendment, an officer can make an arrest in the case of a misdemeanor not committed in his presence and this is a misdemeanor and they keep saying the reason they want these arrests undertaken is to avoid damage being done to the person after the officer leaves. Let me see if I did understand Senator Pirsch correctly in that regard. Senator Pirsch, we've had a lot of discussions where by the time the officers get there, nothing is going on so they might be reluctant to make an arrest and the aim is to try to prevent something from happening after the officers have gone. Is that right?

SENATOR PIRSCH: Correct.

SENATOR CHAMBERS: All right, and thank you. I can agree with that, but look under the existing law, and I hope Senator Bernard-Stevens is looking at this and listening to me instead of that bad legal advice, a misdemeanor...and a warrantless arrest can be made when a person has committed a misdemeanor and

consequences, we think we need some help. And this amendment will do that. Thank you, Mr. President.

SPEAKER BARRETT: Thank you. Senator Withem is announcing that he has a guest under the north balcony, Mr. Dean Loftus, County Commissioner from Sarpy County. Mr. Loftus, would you please stand. Also, in our east balcony Senator Ashford has 14 fourth grade students from Brownell-Talbot School in Omaha with their teacher. Would you folks please stand and take a bow. Thank you. We're pleased to have you. Senator Pirsch.

SENATOR PIRSCH: Question.

SPEAKER BARRETT: The question has been called. Do I see five hands? Do I see five hands? I do. Shall debate now cease? Those in favor vote aye, opposed nay. Record, please.

CLERK: 25 ayes, 0 nays to cease debate, Mr. President.

SPEAKER BARRETT: Debate ceases. Senator Pirsch, to close.

SENATOR PIRSCH: Thank you, Mr. Speaker. LB 218 is a policy question, one which our law enforcement has asked us for, has asked us through the summer when we were meeting on this issue and also asked through their association in the Judiciary Committee. It has been well discussed today, and that's good, that this is also in another section and is indeed the same language. What we are asked by those law enforcement and county attorney is if that would be clarified in that case of a household dispute. That is the other section that we are adding, specifically for that, but not expanding the police's power but confirming and affirming their responsibility to use their good judgment in arrest. It is the same language, it is in this section to give clarification to that law enforcement officer who responds to one of the more difficult law enforcement problems that we have, and that is for the household members to get that violent person some help, and I will give the rest of my time to Senator Bernard-Stevens if he chooses.

SPEAKER BARRETT: Senator Bernard-Stevens, approximately three minutes.

SENATOR BERNARD-STEVENS: I'll just need a minute. There have been some good arguments both pro and con on the amendment and I knew there would be. I knew when we offered the amendment there

PRESIDENT: Senator Lindsay, please.

SENATOR LINDSAY: Mr. President, I move that LB 240A be advanced to E & R for engrossment.

PRESIDENT: You've heard the motion. All in favor say aye. Opposed nay. It is advanced. Thank you for that. Do you have something for the record, Mr. Clerk?

CLERK: I do, Mr. President. Mr. President, your Committee on Judiciary whose Chairperson is Senator Chizek reports LB 210 to General File, LB 921 to General File, LB 978 to General File, LB 111 to General File with amendments, LB 885 General File with amendments, LB 1003 General File with amendments, LB 1035 General File with amendments. LB 109 indefinitely postponed, LB 218 indefinitely postponed, LB 248 indefinitely postponed, LB 328 indefinitely postponed, LB 475 indefinitely postponed, LB 479 indefinitely postponed, LB 667 indefinitely postponed, LB 802 indefinitely postponed, LB 971 indefinitely postponed, and LB 1058 indefinitely postponed. (See pages 553-55 of the Legislative Journal.)

Mr. President, announcement, the Appropriations Committee will be conducting their hearings in Room 2114 the balance of this week, Appropriations Committee in Room 2014 for this week for their public hearings.

Amendments to be printed to LB 465 by Senator Chambers, Senator Baack to LB 143, Senator Dierks to LB 50. (See pages 557-58 of the Legislative Journal.)

Notice of hearing from Education Committee; and from Natural Resources.

Two new A bills. (Read LB 900A and LB 915A by title for the first time. See pages 558-59 of the Legislative Journal.)

Mr. President, a request from Senator Beck to add her name to LB 163 as co-introducer. (See page 559 of the Legislative Journal.) That's all that I have, Mr. President.

PRESIDENT: Thank you. Senator Schimek, would you like to say something about adjourning until tomorrow at nine o'clock, please.