

AMENDMENTS TO LB1184

Introduced by Judiciary.

1           1. Strike original section 1 and insert the following new section:

2           Section 1. Section 81-2009, Reissue Revised Statutes of Nebraska, is  
3 amended to read:

4           81-2009 (1) The Attorney General, or a member of his or her staff,  
5 ~~or a practicing attorney designated by the Attorney General,~~ shall defend  
6 all civil and ~~criminal~~ actions instituted against the Superintendent of  
7 Law Enforcement and Public Safety ~~superintendent~~ or any subordinate  
8 officer or employee of the Nebraska State Patrol arising from ~~their~~  
9 employment by the patrol.

10           (2) In any instance in which the actions or omissions of an officer  
11 or employee of the patrol are the subject of an inquiry by a grand jury  
12 or prosecutor, the officer or employee of the patrol shall be defended by  
13 the Attorney General or a member of his or her staff or, in the event of  
14 a conflict of interest for the Attorney General, a private practice  
15 attorney chosen by the officer or employee of the patrol. Reasonable  
16 attorney's fees and costs shall be paid pursuant to section 81-8,239.02.

17           (3) (2) The superintendent shall provide not less than three agency  
18 legal counsels stationed with the Nebraska State Patrol to assist county  
19 attorneys in the preparation of cases involving drug abuse and to advise  
20 the patrol on all legal matters. Agency counsel shall not represent  
21 individual officers or employees of the patrol whose actions or omissions  
22 are the subject of inquiry by a grand jury or prosecutor. Agency counsel  
23 may advise officers or employees of the patrol who are serving as  
24 investigators for a grand jury or a prosecutor.