

March 28, 1979

LB 484

SENATOR STONEY: One other question, I noticed that Mr. David Howard or rather Vernon O'Neal testified in opposition to the proposal. Was he also law enforcement and what was his objections?

SENATOR NEWELL: He ran for sheriff here in Lancaster County on the Democratic ticket and he had a number of complaints about the Lancaster County Sheriff's Department and their activities in terms of the recent election past where many, where the Department was divided as to which candidate they would support. What happened afterwards, there was a follow-up to that and since there were no penalties in the law they could not discipline those offending officers.

SENATOR NEWELL: Then with the amended version, would it be your opinion that Mr. O'Neal with the testimony that he gave would be supportive of this proposal?

SENATOR NEWELL: I believe so. In fact we talked to him and that was his concern and this is why we offered the amendments.

SENATOR STONEY: One last question, Senator Newell, do the sections that we are referring to specifically here exclude any other public employees that presently do not have an opportunity to participate outside of their work environment?

SENATOR NEWELL: No, this section only deals with sheriffs. It is an independent section of everything else.

SENATOR STONEY: Thank you very much.

SPEAKER MARVEL: Senator Lamb.

SENATOR LAMB: Mr. Chairman, members of the Legislature, a question of Senator Newell, please.

SENATOR NEWELL: Yes.

SENATOR LAMB: I have a question in regard to active duty as described in the bill. If you have a deputy sheriff, does he have the right to arrest a person even though he is not on active duty or during his regular duty hours?

SENATOR NEWELL: I believe he does but I think that is....I believe he does but I am not sure whether that would be a citizen's arrest or whether he has that under the powers of