

March 28, 1979

LB 484

the sheriff's office. I cannot answer that question as definitively as I am sure you would like, Senator Lamb.

SENATOR LAMB: Thank you. I guess my problem is how you define active duty. Are you saying that there are only certain hours of the day when the deputy sheriff is on active duty and it is my understanding though that these law enforcement officers, while they may have a regular duty hour, that they are in effect on duty all the time in that they ordinarily have the power to, if they see an offense, a crime being committed, they ordinarily have the right and the power to interfere and to use their office in dealing with that crime. So it seems to me there is a bit of a problem here in describing what is active duty time.

SENATOR NEWELL: I will defer to your decision. I think that will always be a problem in terms of active duty time. Right now the way the statute is written, it is doubtful that a sheriff could run for office. It is illegal to have a sheriff to run even for reelection. That is one of the problems we have with this bill. That's why we are...or at least a deputy couldn't, maybe the sheriff could but I don't think a deputy if the sheriff left, I don't think a deputy could run for office under this bill. It is illegal. So what we are saying here is that these people have political rights also and as long as they do not try to use their power as police officers or try to distinguish themselves or point out to people in the process of campaigning that they are in fact officers of the law that they have those same political rights as others.

SENATOR LAMB: Thank you.

SPEAKER MARVEL: Senator Venditte.

SENATOR VENDITTE: Mr. President, members of the Legislature, I beg to differ with Senator Chambers in that this Legislature should separate law enforcement officials from other people in the community or in the state. I think what Senator Chambers is doing is addressing an illegitimate and unfair harassment again of our law enforcement officials of this state. I think what Senator Chambers is really concerned about is the amount of political clout that law enforcement officials have today and I am glad they do. As a matter of fact, they keep track of what this Legislature does. They know who is supporting law enforcement in this state and I think we all know where Senator Chambers lies in this category. So again I would hope that you would allow the bill to go to E & R Initial without any amendments that perhaps might