

April 1, 1981

LB 205

President. The first is offered by Senator Chambers to return LB 205 to Select File for a specific amendment, that amendment being to strike the enacting clause.

SPEAKER MARVEL: Senator Chambers.

SENATOR CHAMBERS: Mr. Chairman and members of the Legislature, this motion was on the bill several days ago when it was being considered but Senator Newell asked that I wait until it come up again in the natural order of events on Final Reading so that is why we are taking it today rather than having considered it when it was first put in. And the reasons that I have today for wanting the bill killed are the same that I had originally. It is putting too much power in the hands of people who ought not have that kind of power based on the job that they have been assigned to do. It is going back again to the philosophy that everybody who is in a public office, a quasi public office even, ought to be carrying firearms. I think a time is going to have to be reached when not every activity that somebody undertakes of a public nature should be accompanied by carrying a firearm and being given discretionary power to use it, or to inflict deadly force. I think you ought to look at this bill and especially on page 5 of the Final Reading copy, the blue version, where the section of law defining law enforcement officer has been amended also so that now these arson investigators are officially law enforcement officers. They are not just fire investigators. They are a hybrid. In the same way that the State Patrol, police officers, sheriffs and the rest of them are law enforcement officers so are these arson investigators. And a side issue that might be of interest to some of the people who are concerned about these matters, could occur when negotiation for salaries would occur. If these people are law enforcement officers and if the day would arise when the law enforcement officers were receiving a higher salary than firefighters, then these guys have been given a very strong arguing point by the statute. They also are law enforcement officers. So perhaps their salary ought to be pegged to that which is given to others. But in order not to take a great long time at this particular juncture, I want some things into the record again and I hope that you will pay attention, that these people are being given powers of arrest, search, seizure, the infliction of deadly force, the issuing of subpoenas, the compelling of attendance before these individuals wherever they would happen to be, the compelling of the production of books, papers or any document, and then here is the balloon phrase, "deemed pertinent". There is no guideline or standard for determining