

January 7, 1982

LB 32

SPEAKER MARVEL: Okay, Senator Cullan, do you wish to speak on the Beutler amendment? Senator Goodrich. Senator Wagner. Senator Witala, do you wish to speak on the latest Beutler amendment?

SENATOR WITALA: Mr. Chairman, I call for the question.

SPEAKER MARVEL: The question has been called for, do I see five seconds. Okay, I do. The question is, shall debate cease? All those in favor vote aye, opposed no. Have you all voted? Have you all voted? Record.

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

SPEAKER MARVEL: Motion carried. Debate is ceased. Senator Beutler, do you wish to close on your motion?

SENATOR BEUTLER: No, Mr. Speaker, except to just point out again that all the amendment does is limit the seizing of the contraband to cases where the person is convicted of the offense.

SPEAKER MARVEL: The motion before the House now is the adoption of the Beutler amendment. All those in favor of that amendment vote aye, opposed vote no. Record the vote.

CLERK: 28 ayes, 0 nays, Mr. President, on the adoption of the Beutler amendment.

SPEAKER MARVEL: Motion is carried and the amendment is adopted. Senator Cullan, do you wish to speak on the bill itself?

SENATOR CULLEN: Mr. President and members of the Legislature, I would rise to oppose the advancement of LB 32. I see no reason to enact this type of legislation. I think that an individual who possesses one of these types of devices does no injury to society as a whole and I see no reason to restrict an individual's right to possess or use this type of an instrument. Further I don't really believe that this is a tool that law enforcement needs. I think there are many other things that law enforcement agencies can do if they want to control the highways in the State of Nebraska, and if we are actually serious about controlling speeding in the State of Nebraska, we ought to eliminate the \$10 fine on the interstate system and adopt a reasonable penalty for speeding today but that is another subject. But if we are serious about speeding violations, I think we can do many, many other things to counteract them without infringing on the individual's right to own a piece of transmitting equipment. More importantly I think the bill is, according to the Chairman of our Judiciary