

able to turn that part of it on. If that switch wasn't on there and they didn't have a transmitter that would record a false reading, I don't see anything wrong with it. I want to clarify that this is not making the use of radar detectors illegal in any way, shape or form. Somebody mentioned "fuzzbusters". Fuzzbusters would not be affected with this. Radar detectors are one thing. Radar jammers are something else again. It was also mentioned by some, Senator Cullan I think, that it would probably be unconstitutional. I asked for and got an Attorney General's opinion March the 5th of last year in which they said that the bill as drafted was constitutional. I would also remind you that there have been several states that have passed such legislation and has been tested in the courts of several states, Michigan and Virginia being a couple of them. Our neighboring State of Iowa this last year passed such legislation. It did not, it did not include the language about being disconnected at all. In Iowa if you just have possession of one is illegal, period, no matter where it is at. The reason I included the language about where it was at in the vehicle and whether it was disconnected or not was for the benefit of those people that were coming through here from a state that it was legal to have one in and I thought there should be some way to protect that individual so that he would not be illegal within the State of Nebraska and, obviously, if you just had possession as Iowa is doing, it would be illegal. I don't think that is right. I think they should have a way to hang onto their equipment and not make it illegal through here and that was the reason for that language to be put in there. Oklahoma also has such legislation and has had for several years.

SENATOR KAHLE PRESIDING

SENATOR KAHLE: You have one minute.

SENATOR VICKERS: I think the real question is, the real question is, shall we give our police officers of this state a tool on one hand, and you have to determine yourself whether that tool is a good tool or not, radar, and should we allow people on the other hand through the advances of technology to have tools at their disposal to get around and eliminate the value of the technology that we are allowing our police officers to have. I think that is the question that this Legislature has to answer. I move the adoption or the advancement of LB 32.

SENATOR KAHLE: Okay, we are voting on LB 32 as amended. Please vote.

CLERK: Senator Kahle voting yes.