

TRANSCRIPT PREPARED BY THE CLERK OF THE LEGISLATURE
Transcriber's Office

March 24, 1999 LB 476

I could tell. Things will not be the same in this state, if this bill passes. Eighteen to 19,000, estimated...it will be more concealed weapons. So I would like to suggest to you that Nebraska should take the path...take the different path from the rest of the state and say that we want a safe place for our people and our children to reside, and we do not want to follow the other states. But, back to the \$500 fee. I'm not sure that I think this is too much, the more I think about it. And as I go through the bill and look at what the State Patrol has to do, I mentioned to you, when I spoke before, that they had to do some preliminary rules and procedures, they have to develop applications, they have to follow up on a lot of different things, fingerprints, photographs, et cetera, et cetera. Then are asking the sheriffs of the local applicants' city or village for a statement that they've never been in trouble with the law, and on and on. In one place it says that, "The State Patrol shall issue a license to carry a concealed handgun to a resident of the United States, or a person who's been a resident of the state of Nebraska for at least one year". And that kind of reminds me of that whole court case over circulation of petitions and how the courts threw out the one-year residency requirement. And I wonder if that raises any questions in anybody's mind about this? But anyway, it goes on to talk about all the things that you have to have not done or done in order to get your license. And then the State Patrol, and there's pages of that, so they have to check on a lot of things. Then the State Patrol has to decide whether or not this person should be allowed to carry. They have to either deny it or issue it. And it says at one point in this bill, on page 12, that, "the State Patrol shall check all available data bases, including the National Instant Criminal Background Check System, contact the references provided under subdivision 1(g) of Section 6 of this act, and", and this is the part I want you to listen to carefully, "and take all other reasonable steps to ascertain whether or not the applicant meets the requirements listed in subsection 1 of Section 10 of this act and whether or not the applicant would be likely to use a handgun..."

PRESIDENT MAURSTAD: One minute.

SENATOR SCHIMEK: "...unlawfully". And I would submit to you that that little phrase right there "all other reasonable steps"