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FLOOR DEBATE

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required by an applicant's Class O operator's license, then are they also required to be in use any time a person is carrying a concealed weapon, i.e., corrective lenses or daylight-only driving? How is the applicant going to demonstrate sufficient visual acuity at the office of the county sheriff? Who pays for the equipment for determining eyesight. In the matter of records, on page 5, line 4 through 6, in Section 6, paragraph (1) it says, "A permit to carry a concealed handgun shall be issued to the applicant by the sheriff of the county in which the applicant resides. The county shall maintain a listing of all applicants and permit holders." The concern that they have is, is the list maintained by the county clerk, the county attorney, or the county sheriff? On timing, page 5, line 8; page 6, line 12; Section 6(2) and subparts (a); one, the permit shall be issued, the bill says, within five business days after completion of the criminal history record or information of the applicant. Concern: The five-day limit is a concern in all the counties, but especially those with a sheriff and one or two deputies. What if there was a time-sensitive investigation, such as a drug operation, homicide, et cetera? What if the sheriff is unable to get information regarding mentally incompetent within the five-day limit but has limited information, such as an applicant previously taken in emergency protective custody, then released when they agreed to voluntary inpatient treatment? Specific findings of the sheriff,...

SENATOR CUDABACK: One minute.

SENATOR SCHIMEK: ..."(c) Is not habitually in an intoxicated or drugged condition." Concern: What standard do they use? Is it necessary to present factual information to a counselor or other healthcare professional for a qualified opinion? (d), the bill says, "Has no history of violence." Concern: There are violent people who have never been convicted of assault. Is a conviction necessary even if they have a long reputation or history of violence, fighting, et cetera? What if the individual has never been arrested? (e), the bill says, has not been found in the past five years to be a mentally ill dangerous person or is not currently adjudged mentally incompetent. Concern: How is the determination made? Nebraska medical and mental health records are not easily accessible to the sheriff.