

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

February 23, 2005 LB 7

determined to be illegal, as Nebraska statutes prohibit this behavior. In an effort to make it possible for this unique form of fund raising to continue to occur, this bill was proposed. The bill would simply allow cities, rather than the state, to regulate this type of activities on roadways under their jurisdiction. If the city is interested in promoting this activity, they can. If the city decides this is not an activity that they want to encourage in their city, they would not have to pass an ordinance, and this type of solicitation would remain illegal. In any case, the decision over traffic regulation would be a local one, based on local input. Two years ago, this bill was sent to the full Legislature for debate. During the course of this decision, two amendments were adopted, and these amendments have been incorporated into LB 7. Several concerns were expressed by the body during debate on this bill, including that minors could be involved in this type of activity. The current wording of this bill prohibits minors from soliciting contributions. There was also concern expressed that the law should not exclude or give preference to any individuals or members of any organization, association, or group. So that language has also been excluded. During previous discussions regarding this bill, concern has been expressed for the safety of motorists, should this type of solicitation impede traffic or endanger the solicitors. It is important to remember that regardless of the adoption of any ordinance allowing a person to be present on roadways to solicit contributions, it would still be a traffic infraction to fail to obey a police officer who indicated that solicitation was causing public safety to be compromised, and ordered a solicitor off the street as a result. Basically, I believe that this bill would allow for legitimate organizations to continue to raise funds in the way they have for the past 50 years. It is my understanding that the Urban Affairs Committee has proposed a committee amendment which will further clarify the intent of the bill. And I know there's an amendment by the Transportation, Telecommunications Committee. And I am in support of both. I want to publicly thank Bill Stadtwald and my staff for all the work that has been done on this bill, and the committee. Thank you.

SENATOR JANSSEN: Thank you, Senator Pedersen, for your...you've heard the opening. Mr. Clerk, are there committee amendments?