

TRANSCRIPT PREPARED BY THE CLERK OF THE LEGISLATURE
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FLOOR DEBATE

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LB 454

page...in line 10: During a contact with a permitholder, a peace officer...

SENATOR FLOOD: What line are you on, Senator?

SENATOR CHAMBERS: Say it again?

SENATOR FLOOD: What line are you on, on page...

SENATOR CHAMBERS: Page 9, line 10.

SENATOR FLOOD: Okay.

SENATOR CHAMBERS: "During a contact with a permitholder, a peace officer or emergency services personnel may secure the handgun or direct that it be secured during the duration of the contact if the peace officer or emergency services personnel determines that it is necessary for the safety of any person present, including the peace officer or emergency services personnel." Isn't that a subjective decision made, not only by a peace officer, but an emergency services personnel? Isn't it subjective?

SENATOR FLOOD: I would argue that that has no relationship to an arrest, or...

SENATOR CHAMBERS: But isn't this...

SENATOR FLOOD: ...placing somebody in custody.

SENATOR CHAMBERS: Isn't this a subjective determination made?

SENATOR FLOOD: It's a subjective, temporary...

SENATOR CHAMBERS: But yes or no, it is a subjective determination, isn't it?

SENATOR FLOOD: Is it subjective on the part of law enforcement or emergency services personnel at the time? Yes, Senator Chambers.