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FLOOR DEBATE

May 6, 2005

LB 454

SENATOR CHAMBERS: And that person who determines it to be subjective can take the firearm from the individual; isn't that true?

SENATOR FLOOD: During the duration of the contact. Yes, that is true.

SENATOR CHAMBERS: All right. And how long...what is the limit, in terms of how long that contact may last? There is no limit, is it?

SENATOR FLOOD: That contact could last for five minutes, or if that person is placed in custody for any reason, that weapon would be secured for the duration of the time that that person is placed in custody, and possibly not returned until the defendant has had an opportunity to be heard by the judge.

SENATOR CHAMBERS: Thank you. Now would you turn to page 5, because I'm going to let you be the counsel for the defense, since you are trained in the law and you support this bill. In lines 15, we're talking about the following: An applicant shall not be prohibited from purchasing or possessing a handgun by 18 U.S.C. 922, as such section existed on January 1, 2005. What does that section say, and how does it...under what circumstances does it prohibit a person from purchasing or possessing a handgun?

SENATOR FLOOD: I would rather...

SENATOR CUDABACK: One minute.

SENATOR FLOOD: ...familiarize myself with that provision of federal code before I answered your question, and I will do that in the meantime.

SENATOR CHAMBERS: And that's fair. I thought you might have been familiar. Otherwise, none of these are designed to be trick questions. When I come to one of those, I'll let you know.

SENATOR FLOOD: I'm familiar with the statute, but...or the