

TRANSCRIPT PREPARED BY THE CLERK OF THE LEGISLATURE
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FLOOR DEBATE

January 11, 2006 LB 454, 1025-1030

Mr. President.

PRESIDENT SHEEHY: Mr. Clerk, do you have bills for introduction?

CLERK: I do, Mr. President. Thank you. (Read LB 1025-1030 by title for the first time.)

Mr. President, I also have notice of hearings from the Health and Human Services Committee, from the Natural Resources Committee, and from the Revenue Committee, all signed by the respective Chairs. That's all that I have. Thank you. (Legislative Journal pages 278-280.)

PRESIDENT SHEEHY: Thank you, Mr. Clerk. Senator Flood, followed by Senator Janssen, Johnson, and Erdman.

SENATOR FLOOD: Thank you, Mr. President, members. I rise in support of LB 454, in support of the Judiciary Committee amendments found at AM0810, and the amendments filed by Senator Beutler. The issue that I raised last year when I spoke on this issue is simply asking state senators to look at our current law, found at Section 28-1202. In subsection (1) it says, except as provided in subsection (2), any person who carries a weapon, a concealed weapon, is essentially committing an offense under our state law. In subsection (2) it says, it shall be an affirmative defense that the defendant was engaged in any lawful business, calling, or employment at the time he or she was carrying any weapon or weapons and the circumstances in which such person was placed at the time, or such as to justify a prudent person in carrying the weapon or weapons. My concern is that under current state law, a law-abiding citizen, after the police stop him or her, or make contact with the individual, have no choice but to make the arrest for carrying a concealed weapon, book the individual into the appropriate county jail, set bond, or allow the defendant, the law-abiding defendant, to wait to see a judge in the morning or a couple days later, to either have their bond reviewed or hope for a PR bond. Why are we doing this to law-abiding citizens? Why not pass this bill, ensure that we have training, that the State Patrol will, you know, will certainly provide a uniform system for issuing