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FLOOR DEBATE

January 20, 2006 LB 72

SENATOR STUHR: Yes.

SENATOR BEUTLER: ...suggestions I might have can be dealt with on Select File if you choose to deal with them. But I'm...for purposes of clarifying in my mind what changes I would like to suggest to you, I need to understand what your purpose is. And I think I understand what your purpose is, but I don't want to misunderstand it, lest the suggestions I would make would be wrong. Let me go back to how you intend to use this law.

SENATOR STUHR: Okay.

SENATOR BEUTLER: Let's assume that Senator Combs' bill would pass, so there would be a process by which a person could get a concealed weapons permit, and that may or may not be used by a security officer. It couldn't be used by a security officer if it was in certain places, like financial institutions, schools, and all that laundry list that is excluded in our bill. But it theoretically could be used in certain instances by a security officer to carry a concealed weapon while he was on the job. Now, I don't think that's the intent of Senator Combs' bill, and it really doesn't deal with security officers except in one instance, which I think is a problem. But is it your intent that if we're dealing with security officers, that the sole guiding legislation should be LB 72, and that no security officer ought to be able to operate under a concealed carry permit under Senator Combs' bill, nor should they be able to rely upon, should they not get a permit, LB (sic) 28-1202, which Senator Combs' bill does not delete, but that allows a limited affirmative defense to carrying a concealed weapon in the event that there...somebody is charged with carrying a concealed weapon. And part of that defense, let me read it to you, because it's kind interesting. It's an affirmative defense that the defendant was engaged in any lawful business, calling, or employment at the time that he or she was carrying any weapon or weapons and the circumstances in which such person was placed at the time were such as to justify a prudent person in carrying the weapon. Now, if you're a security officer, do you automatically qualify under 28-1202 to carry a weapon? And I assume your answer would be no, that you want a security officer