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

March 9, 2006 LB 454

to be fingerprinted and take a course, and this amendment that they want to be passed would lessen the penalty when they are carrying it. So we do have people carrying right now. There is a reference in the mayor's letter that the people that are carrying now have the affirmative defense against a criminal charge, and I will revisit what that affirmative defense allows us to...allows to be happen to us if some...allows to happen to us if we get discovered by a police officer, whoever, that we have a concealed weapon. We get the privilege of going to jail and we get to stay there until a judge determines that the reason that we had for carrying is good enough. I don't know about you, but I don't like the idea of a law-abiding citizen being held to such a strict standard than people walking around that could care less, who are committing crimes. These are not people who will be trained. You know, it's...how many of our permitholders, we kind of discussed that before, how many permitholders are...in the 46 states that have had it over a period of 10 years, have actually been the ones that have been On General File we heard at what first committing crimes? sounded like alarming statistics from Texas about that, but once those numbers were put into perspective we found the people were among the most law-abiding class of citizens that could be found anywhere. And I'm telling you, these are the people who are going to be applying for permits. As an enlightened body, we should govern not by emotion but by fact, and the fact is this: This bill will turn the tables on criminals who are currently armed in flagrant disregard of current Nebraska law. A criminal is not carrying under 28-1202. He's not prepared to give a good reason why he thinks he needs to be carrying it. He's going to jail just because he's got it and probably it's to cause some harm or, you know, force something to happen that he wants to happen that he knows is against the law that he has to use Would-be criminals will no longer be able to attack their victims at will, knowing that such victims cannot legally arm themselves. The bad guys won't know who will be armed and who won't be, and we can all benefit as a result of that. We've heard that we don't need this law in Nebraska because our crime rates are so low. Well, we are lucky here that things aren't as bad as they are in some parts of the country, but I wouldn't be willing to tell that to the 5,393 reported victims of violent crime in our state during 2004, that they don't need a legal