

January 7, 1982

LB 413

present time, is there a statute that prohibits a person from observing what the radar machine says that they were going...how fast they were going?

SENATOR CHAMBERS: No, there is nothing which prohibits it, but a lot of times the officers don't allow it.

SENATOR HABERMAN: That is why I asked the question. The last time I met one of these fellows, he wouldn't allow it and...but we rejected that amendment, is that correct?

SENATOR CHAMBERS: Senator Haberman, that was accepted striking that so you still don't....see that is one of the main things that Colonel Kohmetscher objected to, so the committee struck that so that the operator doesn't have to show you that. I think the operator should be required to show it to you because it is evidence that will be used against you. The only opportunity you would have to observe it is on the spot. If you are denied that, then you don't really know whether the device was even turned on or not.

SENATOR HABERMAN: Thank you, Senator Chambers. Thank you, Mr. President.

SPEAKER MARVEL: Okay, the motion before the House is to advance LB 413 to E & R for Review. All those in favor of advancing the bill vote aye, opposed vote no. Have you all voted? Have you all voted? Senator Chambers.

SENATOR CHAMBERS: I don't know how many are here but I think that is part of the problem, so could I ask for a Call of the House and see how many I might...can scare up?

SPEAKER MARVEL: Clear the board. Okay, shall the House go under Call? All those in favor vote aye, opposed vote no. Record the vote.

CLERK: 23 ayes, 2 nays to go under Call, Mr. President.

SPEAKER MARVEL: The House is under Call. All legislators please take your seats. Unauthorized personnel please leave the floor. Record your presence. Senator Burrows, will you...no he's...all right, let's see who have we got? Senator Wiitala, will you please record your presence? Senator DeCamp, will you record your presence? Senator Newell, will you please record your presence? Senator Howard Peterson. Senator Cullan. We are looking for Senator DeCamp and Senator Kremer. Senator Howard Peterson. Senator Chambers, do you wish to accept call in votes?

SENATOR CHAMBERS: If there are any.