By Joseph Moore
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A lively discussion over gun and ammunition control legislation took place during a Judiciary Committee hearing on Jan 23.

Among the bills discussed was LB50, introduced by Sen. Brad Ashford of Omaha. The bill would hold gun owners civilly liable for damages resulting from the unreasonable placement of a firearm where a minor or mentally handicapped individual could get it.

The committee also heard testimony on LB148, introduced by Ashford. This bill would include ammunition in certain offences involving firearms.

Among other provisions, the bill would make it illegal for anyone previously convicted of a felony to possess ammunition. The law already makes it illegal for convicted felons to possess a firearm.

Also up for discussion was LB128, introduced by Sen. Colby Coash of Lincoln. The bill would make it a crime to disarm a police officer performing his or her duties.

“I was surprised to hear from law enforcement about the prevalence of this act,” said Coash referring to disarming a police officer.

Sen. Ernie Chambers of Omaha expressed strong opposition to LB128. “I hate this bill and I hate what it stands for,” he said.

Chambers took issue with the fact that the bill equates attempting to disarm an officer with actually doing it and could result in a maximum sentence of 20 years in prison. He also objected to the absence of language in the bill requiring that the offender know the person is a police officer, citing the prevalence of undercover officers in his North Omaha district.

“If this scruffy white guy approaches me with a gun, am I supposed to do nothing about it?” asked Chambers.

Prosecutor John Freudenberg, representing the Attorney General’s office where the bill originated, agreed that the bill should be amended to require knowledge that the person being disarmed is a police officer.

Chambers changed his mind about LB148, the bill to include ammunition in some firearm offenses, after hearing testimony from attorney Jerry Soucie. Soucie said the bill would impose a mandatory minimum sentence of three years on previously convicted felons found in possession of ammunition. He said this would cost the state $160,000 every time there is a conviction.

Soucie also said the statute would most likely be applied disparately in different parts of the state with rural counties less likely to seek prosecutions for ammunition possession.

Chambers said he supported the bill before hearing Soucie’s testimony but is now opposed to it. “You pushed the right buttons to make me look at this bill in a different way,” he said.

Of particular concern to Chambers is the possibility that police officers could plant ammunition on a suspect to trump up the charges. He said he has seen this practice often in his district.

“The Omaha police are basically gangsters,” Chambers said.

Several people testified in opposition to LB50, which would impose civil liability on gun owners for the unreasonable placement of a firearm where a minor or mentally handicapped individual could get it.

National Rifle Association lobbyist Ron Jensen said the language of the bill is too vague and could potentially criminalize lawful firearm possession.

Jeremy Cody, a member of the Nebraska Firearm Owner's Association, said he would prefer introducing youth education programs to teach children to stay away from firearms.

"These programs have proven successful at teaching children to stay away from guns," Cody said.

Ashford, who sponsored the bill, said that the gun store owners he spoke to in Omaha expressed support for the bill.

"We are asking that firearm owners be responsible," Ashford said, adding that the bill called for common sense safety measures.