

March 5, 1980

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going to be guilty of a misdemeanor for just having been in the demonstration. This applies to labor, to all the farm organizations, and we are giving up in this bill a lot of rights that our Constitution has given us as protection. I don't believe the bill, the provisions of it are constitutional, but that will take a battle to the courts if we pass the measure to find out. I oppose the bill. I believe I will support the Johnson amendment, but it does not make a good bill out of a bad bill, it changes it just a little bit. Thank you.

SPEAKER MARVEL: The Chair would indicate to the legislators what we have yet before us in regard to this bill. We have...we are on the Johnson amendment at the moment, and when this is completed, we go to the committee amendments and then we go to the kill motion. So we are speaking to the Johnson amendment, and I think it would be helpful to the Chair if you would try to confine your interests and your comments to those particular motions. Now, Senator Haberman, do you wish to speak to the Johnson amendment?

SENATOR HABERMAN: I will call the question.

SPEAKER MARVEL: Okay, the question has been called for on the Johnson amendment. Do I see five hands? Okay. The question before the House is, shall debate cease? All those in favor vote aye, opposed no. The motion before the House is to cease debate...shall this Legislature cease debate? Have you all voted on ceasing debate? No, we are ceasing debate on the Johnson, and the debate has to do with the Johnson amendment. Have you all voted? Okay, record the vote.

CLERK: 25 ayes, 1 nay to cease debate, Mr. President.

SPEAKER MARVEL: Debate is ceased. The Chair recognizes Senator Johnson to close on his amendment.

SENATOR JOHNSON: Yes, Mr. Speaker, I am sorry to take a little bit of time of the body to close, but this is a very important amendment, so I want to speak to it again. This amendment in no way destroys or diminishes Senator Haberman's bill. His bill still is a viable bill with this amendment, but the amendment says simply that the only persons whose conduct becomes criminal conduct are those persons who are participating in disturbing the peace and who fail to disperse upon being requested to do so. Now mind you, those same persons would be guilty of criminal misconduct for disturbing the peace. That is already an