

March 17, 1980

LB 605

SENATOR NEWELL: Yes, as the chairman of the Miscellaneous Subjects Committee of which this bill is, I move to pass over it, put it on pass over file and Select. There are some amendments that has not been worked out and instead of debating it I think a little more time might find it a lot less time spent on the floor.

PRESIDENT: All right, I do not see the Speaker but if there is no objection we will pass over it. No objection, so ordered. We will pass over it and go then to LB 605.

CLERK: Mr. President, LB 605, the E & R amendments were adopted by the body on March 12. I now have an amendment from Senator Haberman to strike the Johnson amendment which is found on page 996 of the Journal. That is by Senator Haberman.

PRESIDENT: The Chair recognizes Senator Haberman.

SENATOR HABERMAN: I wish to withdraw that amendment.

PRESIDENT: All right, the amendment is withdrawn. What else do we have on the desk?

CLERK: Mr. President, Senator Haberman moves to amend the bill. It would read as follows: (Read Haberman amendment as found on pages 1231-1232 of the Legislative Journal.)

PRESIDENT: The Chair recognizes Senator Haberman.

SENATOR HABERMAN: Mr. President, fellow colleagues, may I have your attention please? This is a very important bill. You have being passed out to you now a letter from Senator (sic.) Kohmetscher and I am going to read the letter. I would like to ask you to follow the letter with me. It says, "Dear Senator Haberman: We respectfully request that LB 605 as amended be withdrawn from consideration unless it can be amended to remedy the problems discussed herein. The Hoagland-Landis amendment, while not helping, did not substantially harm the bill, however, the Johnson amendment rendered the bill meaningless. It would allow dispersal of only those who are active participants in a disruption of the peace. Those persons can now be arrested so the order to disperse does not give us any tools we do not already have. The real crux of the problem is the others who by their very presence insulate the lawbreakers from arrest. It is nearly impossible to pull law violators out of a middle of even a peaceful crowd. Knowing this, law violators use the crowd for protection. Absent authority for law enforcement personnel to disperse the crowd in order to reach the violators' offenses likely will go unpunished. During the debate several senators felt that