

March 17, 1980

LB 605

Guard has asked us to help him with a statute. Now as far as I am concerned, if the National Guard is willing to go lay their life on the line if they need to for us, the least we can do is have the faith in them to give them the tools that they need. I have gone through everything that I can think of to try to convince you that ...

PRESIDENT: One minute, Senator Haberman.

SENATOR HABERMAN: ...the bill is not what it was. It satisfies a lot of people who were opposed to it, yet it does do the job. It does give them the tool they need and I respectfully request your support on LB 605 as amended.

PRESIDENT: Before we go on to the next speaker the Chair would like to introduce some guests of Senator Kahle. They are up here in the North balcony, 6 students from Wilcox High School, Wilcox, Nebraska, with their teacher, Mr. Ken Meyers. Would they stand up and be recognized? Welcome, Wilcox High. The Chair recognizes Senator Chambers.

SENATOR CHAMBERS: Mr. Chairman and members of the Legislature, so that I can be clear what is before the body, is it the amendment that was placed on our desks? Then I would like to ask Senator Haberman a couple of questions if he will yield.

PRESIDENT: Senator Haberman, will you respond to Senator Chambers' questions? Senator Haberman, where are you?

SENATOR HABERMAN: Yes, I will yield to a couple of questions, Senator Chambers.

SENATOR CHAMBERS: Thank you. Senator Haberman, in the second subdivision of Section 1 which tells...defines or describes others who may be dispersed it says, "others whose close proximity to the participants creates a clear, present and substantial danger of personal injury to themselves or the peace officer." Who makes a determination as to whether they present this danger?

SENATOR HABERMAN: The police officer.

SENATOR CHAMBERS: Now suppose they are just there and he doesn't want them to be there and he decides that he wants to disperse them so he says in these words, "I think you're