

asking a peace officer to do is on the spot make a weighing of factors which a court in the solitude of its chambers can make. If there is not clear, precise guidance to the officer given in the law, despite the fact that Senator Haberman says this is what the peace officers and others want, he may be giving them something that they cannot properly deal with and cope with. They should not have to make a determination based on a weighing of factors that a court would weigh. The Legislature makes a policy decision by enacting a law. The law should be clear enough for anybody on whom it may impact to determine what conduct is prohibited and what conduct is legal. The officer who is asked to enforce these laws, Senator Haberman, should be able to read the language of the law and know precisely what kind of conduct is involved. If we had forty-nine of us in here, give a definition of what we think "clear, present and substantial danger of personal injury" would be, we would have forty-nine definitions. So I don't think this language clarifies anything. As a matter of fact, I would consider it junk language which clutters up the bill without doing any of the things that are alleged in this letter by Colonel Kohmetscher. As a matter of fact, when he stated that you cannot disperse a crowd because you don't have the means to do it without this law, if the law is on the books and you have a crowd that doesn't intend to disperse, how will it merely being on the books make a difference? You have a problem...

PRESIDENT: About a half a minute, Senator.

SENATOR CHAMBERS: You have a problem as defined by Senator (sic.) Kohmetscher related to manpower. Passage of a poorly written bill is not going to accomplish that purpose and I do not think what you are attempting to do does anything... well I will end it at that because my time is up.

PRESIDENT: Thank you, Senator Chambers. Senator DeCamp.

SENATOR DE CAMP: Mr. President, I had opposed the original bill because I thought there was some problems with vagueness. When the amendments were put on I think I raised the question with my good friend, Senator Haberman, that this bill had been badly neutered and I think the verification is here in the opinion from various people. I do think if you read the amendment he is proposing it is reasonable. It is a court test of standards and I think it might be something that is valuable to have on the books for the future. There is the possibility like any piece of legislation that it could be abused. Senator