

because of the economic crisis in this state they ought to organize to try to stop a farm sale, this makes that organizing and the talking of it illegal. It makes them subject to a Class IV felony conviction, and even if no intent is there to try to convict them for it, you can bring in the state patrol, the sheriff, and the local police and break up these farm rallies because a type of thing is being taught which either the speakers intend to result in a disorder or which the officer say the speaker knows or should know will result in a disorder and that is all he needs for an arrest. We are not talking about conviction, we are talking about arrest, breaking up meetings, preventing people from speaking freely on issues as they choose. It is something that will have a very chilling effect especially when you have a crisis of the kind that exists in this state and others. Sometimes the way that you preserve order is to give people a legitimate means to blow off steam, to curse out the government, to say they hate black people, to say they hate Jews, to say they hate Governor Kerrey and the whole Legislature. Let them say all that they want to say, that is why you have a provision in the Constitution protecting freedom of speech because there will come a period when people are going to say things that other people don't like to hear. If the only thing ever spoken were the nice words that tickled the ear and pleased people, you would not need a constitutional protection against the state infringing on that speech. The speech that must be protected is the very kind which people fear and hate the most. That is why this kind of bill is pernicious and it ought not be passed and I think we ought to take this proposition out of the bill. First of all, you cannot prove, and I don't care what you bring, that somebody knows what another person is going to do. You cannot show without some kind of guidelines what circumstances create the situation where you say this person ought to have known. How are you going to prove that a person has reason to know? There is nothing in the statute that gives guidance to a law enforcement officer so he or she uses his or her own judgment. If you have a timid law enforcement officer or one who doesn't think very deeply because of an opinion he or she would have with reference to what is being said, he or she will describe that motive to the teacher and make an arrest and the damage has been done at that point, and we ought to think before we put this kind of bad legislation in the books. When the people who were bringing this bill and speaking about it...