

February 11, 1986 LB 772

SENATOR CHAMBERS: ...is to take conduct which is not illegal, which will not result in anything illegal, and making it a crime, a Class IV felony. Do you want that in the law? I don't and, therefore, I have offered the motion to strike this offending language.

SPEAKER NICHOL: The question is the adoption of the Chambers motion. All those in favor vote aye, opposed nay. A record vote has been called for. We are voting on the adoption of the Chambers amendment. Have you all voted? Record, Mr. Clerk, please.

CLERK: (Record vote read. See page 740 of the Legislative Journal.) 14 ayes, 22 nays, Mr. President.

SPEAKER NICHOL: The motion fails. The call is raised.

CLERK: Mr. President, Senator Chambers would move to amend. (Read Chambers amendment found on page 740 of the Legislative Journal.)

SPEAKER NICHOL: Senator Chambers.

SENATOR CHAMBERS: Mr. Chairman and members of the Legislature, obviously nobody is too concerned other than those who voted for that last amendment in the affirmative about what this bill contains but I hope that you will look at this amendment. It is offered seriously. At least strike the word "knows". How does the teacher know that somebody will use what he or she teaches unlawfully? Does the teacher in a classroom know that the students are going to pay attention and pass the exam? No. Do we even know that when a senator stands on this floor and says I am going to vote against the proposition, do we know they are going to vote against it? No, because we have seen them change. So how do you know? There is no way to know so why give a law enforcement officer that kind of broad authority to effect an arrest against a person for what they are teaching by saying he feels that the teacher knows what somebody else will do. I hope you will adopt this motion.

SPEAKER NICHOL: Senator Higgins, please.

SENATOR HIGGINS: Thank you, Mr. President. As I am reading this section, I didn't get...it was page 3, subsection (1), wasn't it, Senator Chambers. Line 5, as I read it it says