

cetera. They are excluded in Section 3 and he knows that as well as I do. The bill deals exclusively with training for unlawful violence intended for use in a civil disorder. An example, I think, might illustrate what we are talking about. Assume a demonstration concerning an event or issue, the participants would not be prosecuted under 772 for acts committed during the demonstration. If, for example, some participants use weapons and cause injury or death, prosecution would be had under existing assault or homicide statutes, not under 772. If on the other hand prior to the demonstration, individuals gather for the purpose of instruction or practice in the use of weapons with the intent to unlawfully use them during a violent demonstration, those individuals could be prosecuted under 772. This prosecution could be had whether or not they eventually do engage in the intended violence. He has talked about conspiracy. The crime of conspiracy in Nebraska is found in Section 28-202. Conspiracy in Nebraska requires that the actors conspire to commit a felony crime. And I think this is especially significant as it relates to paramilitary training because the crime in Nebraska is only a misdemeanor, hence, defendants could not be found guilty of conspiring to train militarily in Nebraska. Conspiracy would only be applicable if the participants involved in paramilitary training had conspired to commit a crime, a felony crime. So I oppose Senator Chambers' amendment. I appreciate his comments, but by the same token, he and I have a difference of opinion on this issue.

SPEAKER NICHOL: Senator Beutler, please, then Senator Higgins.

SENATOR BEUTLER: Mr. Speaker, members of the Legislature, I hope you were listening to Senator Chambers last time around because I feel that in a logical sense he blew his whole argument. When we got into a little exchange about Senator Beutler's intent, knowledge, he then says how do I know about Senator Beutler. He says I know from Senator Beutler's past actions and past words and yet he is asking you in deleting this language to ignore what a person says. I am saying to you that if I am a teacher and a student comes to me and says to me I am going to blow up Mayor Luedtke's office, Senator Chambers says in a metaphysical sense we can't know that for sure because maybe he will change his mind, but he tells me that we have a right to take a person at their word, we know what they intend to do,