

February 12, 1986 LB 772

SENATOR CHIZEK: Senator Chambers, if I remember correctly, you said something about conspiracies and I read the section that the conspiracy statute is found in and said that conspiracies just deal with a felony, yes.

SENATOR CHAMBERS: Okay, and then why will not that work in place of LB 772?

SENATOR CHIZEK: Because this activity is a misdemeanor.

SENATOR CHAMBERS: Thank you. What Senator Chizek said, if you couldn't hear him because he wasn't close to his mike, is that this kind of activity is a misdemeanor. So get this, the activity which you don't want to have is a misdemeanor. If somebody teaches, that is a felony. What is the evil to be avoided? That is what ought to be looked at whenever a bill is presented to the Legislature. What is the evil to be avoided? And if that evil can be sketched out in language, there should be a sanction imposed against that evil. If the evil is the civil disorder, then make first of all the civil disorder the crime, if you must do that. Then, secondly, if you are going to make language a crime in connection with a civil disorder, at minimum, you should require an incitement to this type of civil disorder. But this bill neither makes the disorder a crime, nor does it require incitement. So what kind of a law is this? It is what I described it as the other day. But I won't be as cruel today. It is piffle, p-i-f-f-l-e. And the bill ought to be killed. There need be shown no action of any kind toward a civil disorder. The person who teaches need never be associated with a civil disorder, nor ever advocate a civil disorder, or even an act of violence, and he or she comes under this law. This is terrible. I would hate to have to live with this. And my friend who sits next to me in his chair, after he loses his bid for Governor, is going to have to come back to this Legislature and argue as a Senator the very things I am arguing now on other matters. He said he will be a private citizen, but once the old war horse has snuffed the smell of battle, he can't stay away, he will be back and unlike MacArthur, he will come back, because I am saying it and I know. That was a bit of facetiousness. But the bill is bad and you ought to seriously consider this punishment. When Patrick Henry...and I know nobody is interested in this, really, except those who may read it later, and myself, when Patrick Henry and others were arguing in their state assemblies