

PRESIDENT: If DeCamp can get...at the end of your 10 minutes, we'll visit about it again.

SENATOR BARNETT: Alright, thank you very much. We're going to start with Section 219 and bear in mind that the sections in law here with the exception of three or four sections are the same as what they are in present law. All we're doing in this section is bringing them into compliance with present law. There is one thing that you might notice that some of the sentencing structures under this law are exactly the same and others are comparable. When we mean comparable, as Senator Carsten questioned, they have changed slightly because it was impossible to put them under the penalty structure. So they are either the same as or they are comparable, as close to the penalty section as they could get. I'd like to run through it briefly and then if anyone wants to refer back to sections, we'll do that and we'll take up the amendments on this section 10. Section 219 provides for Class I misdemeanor of a riot. When two or more persons participate in riots and this is the comparable to Section 28-821. What it does, it reduces the penalty from a Class II misdemeanor...it makes it a Class II misdemeanor where you'll notice in the explanation of a riot, the imprisonment could be in the complex for one to three years. Section 220 is a Class III misdemeanor of unlawful assembly, same as Section 28-822 of present statute. 222, Class II misdemeanor for arming rioters. This is comparable but reduces the penalty. 223, is a Class II misdemeanor possession of deadly weapon off your own premises and in the vicinity of a state of emergency or a riot. This section is exactly the same as Section 28-826. 224 provides and the next two or three sections will provide for state of emergency procedures. 224 is the same as it is in present law. 225 is telling who may declare the state of emergencies. That is under the present law, same as 28-828. Section 226, the prosecuting attorneys can hire additional attorneys for prosecution under this state of emergency. That is the same as present law. 227 is the presiding judge of a municipal court can do the same thing, get additional judges to prosecute or to sentence and disposing of additional cases under a state of emergency. It's exactly the same as present law. 228 is that no person on the grounds of any educational institution may willfully obstruct or deny the students, school officials, employees, teachers or advise any of the following freedom of movement on campus and so forth. This is the same as it is under present law, 28-831. Section 229 provides that it will be a Class II misdemeanor to enter or remain upon public or private land, intentionally interfere with, obstruct or injure lawful business of a governmental or public function. This section is comparable. The only difference... this is comparable to 28-832 and the only difference here is in 229, it provides that a person must be informed that he is basically, I hate to use the word trespass but that's a little bit of what it is, and he has to be informed by one to be known to him as a peace officer. The owner or agent of this act constitutes interference. Section 230 provides for Class III misdemeanor, disrupting a lawful assembly. This is comparable to Sections 28-801, 802, and 803 and it's a Class III misdemeanor where the sections now provide for fines of not less than five nor more than twenty. Section 231 is a Class III misdemeanor of endangering public transportation. This is a new statute. You might want to take a peek at 231; Section 231 provides for the Class III misdemeanor of endangering public transportation when one tampers with a facility of public transportation with intent to cause damage, malfunction or