

March 5, 1980

LB 605

Thus we believe such a provision could be defended against the constitutional attack. I do ask that you support and that we advance 605.

SPEAKER MARVEL: Okay, we are discussing committee amendments to LB 605. Senator DeCamp, Senator Beutler and Senator Chambers. Senator DeCamp, do you wish to speak to the...Senator Beutler do you wish to speak to the committee amendments? 605.

SENATOR BEUTLER: Mr. President and members of the Legislature, I just have a couple of questions. I am not really sure what this bill does. Senator Haberman, if you would...Section 1 of the bill describes what disorderly conduct is. Is there presently under the law, Senator Haberman, an offense called disorderly conduct?

SENATOR HABERMAN: You are asking me what it means?

SENATOR BEUTLER: No, I am asking you that if one person engages in disorderly conduct, is that an offense against the laws of the State of Nebraska?

SENATOR HABERMAN: It says three or more.

SENATOR BEUTLER: No, no, I understand that Section 2 says three or more. I am asking you what the present law is. If one person today engages in disorderly conduct, is that an offense against the State of Nebraska?

SENATOR HABERMAN: I don't know.

SENATOR BEUTLER: Well, if you don't know the answer to that, how can you say that three persons engaged in the conduct is against the laws of the State of Nebraska, or should be?

SENATOR HABERMAN: Well, because the attorney for the State Patrol suggested that that is where we start, Senator Beutler.

SENATOR BEUTLER: I guess I don't understand what is going on here. You are saying that if three do something that is not unlawful for one, then it is unlawful for the three. I guess I need more information, Senator Haberman. Thank you.

SENATOR HABERMAN: Well, it says, a person commits disorderly conduct and then in Section 3 it says, when three or more are participating in a course of disorderly conduct.

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