

March 5, 1980

LB 605

SPEAKER MARVEL: All those in favor of the adoption of the Hoagland amendment number two to the committee amendments vote aye, opposed vote no. Record the vote.

CLERK: 20 ayes, 1 nay on the motion to amend, Mr. President.

SPEAKER MARVEL: Okay, the motion is carried and the amendment is adopted. Now are we ready to adopt the....

CLERK: No.

SPEAKER MARVEL: Do you have another amendment?

CLERK: Yes, sir.

SPEAKER MARVEL: Okay.

CLERK: Senator Johnson now moves to amend the committee amendments by striking the words "and others" in line 10 of page 1.

SENATOR JOHNSON: Mr. Speaker, members of the body, this is a very simple amendment. If you open your bill books and are following along in the committee amendments you will get to line 10 in the committee amendments and you see the two words "and others", and I am just striking those two words out, "and others", because of this. We can have a gathering of people who are in a tremendous hoorah. We can also have some spectators, including some news reporters, and with the words "and others" included in this provision those spectators and those news reporters are subject to liability for failing to disperse, and the kind of liability we are talking about is criminal liability. Now we are trying to hone in on the guilty parties. The guilty parties are the people who are involved in the hoorah. They are the ones that are disturbing the peace. They are the ones that are participating in this criminal conduct. So we would limit...we, frankly, would limit criminal misconduct to the participants. We would not allow the "and others" to be penalized, and that is all the amendment does. I move the amendment.

SPEAKER MARVEL: Senator Chambers.

SENATOR CHAMBERS: Mr. Chairman, I am going to support this amendment by Senator Johnson, and I think the news media would be wise to listen as carefully as any person on this floor, because unfortunately sometimes more responsibility

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