

We are voting on the adoption of the committee amendments. Record, Mr. Clerk, please.

CLERK: 25 ayes, 0 nays, Mr. President, on adoption of committee amendments.

PRESIDENT: Committee amendments are adopted. Senator Chizek.

SENATOR CHIZEK: Current statutes, 28-806 provide that a person must be over 18 years old before they can be charged with public indecency. LB 138 would provide that those over 14 could be charged either in juvenile court, which would be in most cases, or as an adult if near the age of 18. Public indecency would include public fornication, exposing to affront or alarm another, and public fondling of intimate body parts. An example, a boy and a girl, each 17, were engaged in sexual intercourse in a public park in daylight near the kids slides, et cetera, they couldn't be charged with public indecency. This would give the juvenile courts some leverage in handling this kind of a situation, behavior that we wouldn't expect from 14 through 17-year olds. I believe that this might have been a legislative oversight and I would urge advancement.

PRESIDENT: Senator Chambers, please.

SENATOR CHAMBERS: Mr. Chairman and members of the Legislature, I am one who philosophically am opposed to the Legislature continuing to create new crimes and impose new punishments, so I would like to have the introducer of this bill, who is the Chairman of the Judiciary Committee, explain why it is needed. What I could do if I offered a bill is to postulate any number of possible things that might happen, but I want to hear a justification for us to create an entirely new class of criminals. That is what we are talking about, an entirely new class of criminals, and I want the Chairman of the Judiciary Committee to explain why it is necessary that we do that.

PRESIDENT: Senator Chizek, would you like to respond please.

SENATOR CHIZEK: Yes, Mr. President, right now, as I said, there is a vacuum or a void that exists on those under 18 years of age who would expose in public. There have been any number of cases where someone under 18-years old...well, let me say that the Legislature in statute had 18 as the cutoff. So, if you were 18, they can file indecent exposure charges against you. If you