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subsection...or strike Section 1, subsection 2. (See FA447 found on page 336 of the Legislative Journal.)

SENATOR CHAMBERS: Yes. Mr. Speaker and members of the Legislature, the language that this amendment would strike is the following, "special citations issued pursuant to this section shall be equivalent to and have the same legal effect as citations issued in lieu of arrests or continued custody by a peace officer." This so-called special citation is not defined anywhere. The closest you can come to it is in line 8, where the drafter of this amendment acknowledged that this so-called special citation is described. A description is different from a definition. A description of a word is different from a definition of a word. If you took the word "cat," you could describe it by saying it consists of three letters in the following order, c-a-t. That is a description of the word, but it is not a definition of the word. And I want to make it clear that when we use terminology in criminal statutes we should at least note what we're talking about, and we should not become so defensive when deficiencies are pointed out that we begin to try to construe and interpret on the floor of the Legislature and say, well, it means this, or it means that, when on its face it says something different. If this goes into court the way that it is written here, then I think it could very well and easily be struck down. So instead of having a citation of the kind already approved by the Supreme Court, issued by a person authorized as a law enforcement officer to issue such citations and obtain a conviction, if it goes to trial, or if the person wants to cop a plea, if a waiver is allowed. Instead of that, you might have these inspectors and officials writing these citations and issuing them and have them struck down because the law on which they are based is unconstitutional. It does not comply with what is required for a citation. The bill, with the addition of Senator Preister's amendment, is still not in proper form. All Senator Preister's amendment did was to not only call attention to a problem, but to aggravate it. If you're going to lay out a problem in a statute, the statute then should proceed to address the problem by solving it. Senator Preister's amendment does not do that. Senator Brown shared with us the type of training she believes Omaha is going to put in place. But there is nothing requiring that. We don't know that they will continue to do it. We don't know of what that training