

TRANSCRIPT PREPARED BY THE CLERK OF THE LEGISLATURE  
Transcriber's Office

January 22, 1999 LB 128

the bill is to raise the maximum fine that can be imposed for violation of an ordinance in the city...ordinance of a...in a city of the second class or one which is a village. It raises the limit of the fine from \$100 to \$500. Now, in the committee also I believe Senator Hartnett caused some certain archaic language also to be stricken from the bill. I don't know if Senator Hartnett did away with the bawdy house provision, but he did do away with the county pest house or the city pest house. A lot of the matter in this law, which is 17-207, hasn't been changed since it was originally passed about 120 years ago--1879. The increase doesn't even reflect inflation over time, and certainly other cities, cities of the first class and of the metropolitan class, have substantially higher fines. If you shoplift in Omaha, I think you can be fined up to \$1,000. In primary cities, such as mine, the city of Norfolk, it's \$500. It makes Meadow Grove and Tilden, Nebraska, cheaper places to commit crime. The inequity was brought to my attention by the city attorney for Madison, Tilden, and Meadow Grove, Mike Brogan, and he testified before the committee. The...generally, what I believe is presently happening, if a person commits an ordinance violation, such as assault or criminal mischief, something of this nature, the \$100 is the max and that isn't even, in these days, a good slap on the wrist. For exactly the same crime 20 miles east, you can be fined \$500. These fines, as you know, do not accrue to the city. They accrue to the schools. I think this is as noncontroversial as we will see today. I would appreciate your attention and your vote. Thank you very much.

**PRESIDENT MAURSTAD:** Thank you, Senator. The Chair recognizes Senator Hartnett. (See Standing Committee amendment AM0015 as found on pages 297 of the Legislative Journal.)

**SENATOR HARTNETT:** Mr. President, members of the body, I think Senator Tyson kind of explained. There's been language in this area for over a hundred years and so simply what the committee did is to simply strike some language that's obsolete from the...from the bill. And we're always accused of putting more language in. This time we're taking some out. So I would ask you for...to adopt the amendment.

**PRESIDENT MAURSTAD:** Thank you, Senator Hartnett. Seeing no