

in a door window where you certainly cannot see oncoming traffic from either side, so I would hope that those that are putting this amendment in would see fit to put that glass inspection back in there. I think that is a big mistake. Thank you.

SENATOR NICHOL: Mr. Clerk, do you have something?

CLERK: Mr. President, Senator Hefner moves to amend the Beutler-Wesely amendment, Section 6, line 25, change Class III to Class IV.

SENATOR NICHOL: Senator Hefner.

SENATOR HEFNER: Mr. President, members of the body, I offer this amendment because I feel that Class III misdemeanor penalty is still too strong. I realize that the Beutler and Wesely amendment takes it down from a Class II to a Class III and I want to take it down a little bit further. I don't think we ought to give that judge the option to put this inspector in prison. Class III misdemeanor is a \$500 fine plus could be up to thirty days in prison. I think this is excessive. I think we need to think this over and I think the way it is written now the penalty is too stiff and we have found out from before that whenever we do put too harsh a penalty in our statute then the judge will not find them guilty. He will find them innocent because he doesn't like to levy that heavy a penalty and so I say to you here today, let's change it from a Class III to a Class IV misdemeanor.

SENATOR NICHOL: Now I have many lights on. May I please see your hand if you wish to speak to the Hefner amendment? Okay, Senator Beutler, you were first.

SENATOR BEUTLER: Mr. Speaker, members of the Legislature; Senator Wesely and myself are personally willing to go along with whatever the body wants with regard to penalties. Let me though clarify in everybody's mind what the amendments do exactly with regard to the penalties right now because I think there is some confusion in that regard. The current law had two kinds of penalties. We had a penalty that operated against the station itself, the operator of the station and it also had a penalty that operated against one who took or fraudulently got a sticker, one who used a sticker. Under the current law there was a Class II penalty that attached to the one that applied to the one who used it, the driver of the car, the owner of the car and we made that less severe. We brought that down to a Class III as far as the person using it is concerned. Now as far as the operator is concerned we made the law more severe. We changed it from a Class IV misdemeanor to a Class III. So the end result is that it is a