

trial is or is not allowed. That bright line would be whether or not imprisonment is included as part of the punishment. If imprisonment is a portion of the punishment, then a jury trial will be allowed. If imprisonment is not a portion of the punishment, than a jury trial would not be allowed. The primary change would take place at some time and under some city ordinances, especially those that...those city ordinances that are written in an overbroad manner which provide a prison time for a minor offense, it would allow the jury trial in that situation. It would also remove or it would also make clear that there are no jury trials if there is no imprisonment. So it does create a bright line on the requirement or nonrequirement of a jury trial. With that, I would be happy to answer any questions. I would urge the adoption of the amendments.

SPEAKER WITHEM: Thank you, Senator Lindsay. For discussion on the committee amendments, Senator Witek, followed by Senator Bromm.

SENATOR WITEK: Mr. Speaker, members of the Legislature, I hope that everyone is familiar with this amendment. From some of the articles that came out in the Omaha World-Herald on this and some of the comments that were coming out of Omaha on this amendment change of Senator Lindsay's, Senator Bromm's bill went into Judiciary one way and came out the exact opposite. And Senator Bromm, I am sure, will be up to explain his pulling up support for this bill, but I hope that everyone will realize when they vote for this committee amendment, it completely changes LB 90. There were articles in the paper and comments from all over Omaha. Our city prosecutor said that as a taxpayer he'd like to think that his senators would take a dim view of this amendment. As someone who works for the criminal justice system, I don't see why we need to create rights beyond what the courts have ruled on for a long time. So we've got our city prosecutor up in arms, we've got most of the taxpayers in the City of Omaha up in arms. Anyone who read this disagrees with it. I have not heard anyone in my district or anywhere in the City of Omaha that agrees with Senator Lindsay's amendment on this, and I hope people will take the time to realize this is not just a small change in this bill. This completely changes this bill. And especially the Omaha senators need to be aware of the tremendous wave of opposition in our city, in Omaha, to this amendment and vote against the committee amendments. Thank you.