

SPEAKER WITHEM: Thank you, Senator Witek. I understand there is an amendment to the committee amendments.

CLERK: Mr. President, Senator Lindsay would move to amend the committee amendments. (See AM0731 on page 1058 of the Legislative Journal.)

SPEAKER WITHEM: Senator Lindsay, to open on your amendment.

SENATOR LINDSAY: Thank you, Mr. Speaker, members, this amendment is an attempt to address some of the concerns that have been raised, or actually most of them I think. And let me, I do want to respond a little bit to Senator Witek and to some of the press that has come on about this because the problem that we run into, and, yes, it would, as the city ordinances are required...are drafted now, it would require a jury trial in some of these things that Senator Witek mentioned and that have been mentioned in a World-Herald editorial, it would create a jury trial in those situations, but we have to look at why. We have to look at why we create a jury trial, and the reason is because Omaha and some other cities have inordinate penalties for some activity. People in your district, how would they like to hear that if they tell a fortune for profit in Omaha, you get six months in jail. That is ludicrous. If you...if you are smoking in bed, it is six months in jail. Putting a sign or a poster in a restricted area, washing a car in a park, removing...failure to remove snow in time, six months in jail. The problem is not with the jury trial question. The problem is that we have these broad, broad penalties for these goofy offenses. In Lincoln, if you park overtime, if you overstay your parking limit, six months in jail. Where is the problem here? Is the problem on giving a jury trial if you are going to get six months in jail for a parking ticket? I think that's where the problem is, the problem is that our cities won't classify their ordinances. They want to take the easy way by just having one broad statement of what the penalty is in every situation, rather than classifying it down. If the people in your districts knew that they were facing these penalties, and I guess we are getting tough on crime when we have those kinds of things, then they I think would be legitimately upset. But recognizing that politically it isn't going to happen, that politically we are not going to get the amendment that is going to give a bright line between when you have a jury trial and when you don't, and that politically we're never going to force