

March 10, 1995

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attending a public school is that important. But there is no ability for a person convicted of a crime...

SPEAKER WITHEM PRESIDING

SPEAKER WITHEM: One minute.

SENATOR CHAMBERS: ...to determine that I'm going to serve my time at home. That will never happen. I wish you all would think for a moment how serious a matter it is to be locked up, to have your freedom taken away from you. Even if it's for one day, the person should have a jury trial. If the state or the city considers an offense to be serious enough to attach a punishment of imprisonment to it, the policy should say that is serious enough to attach the right to a jury trial. But I am going to support Senator Lindsay's amendment as a step toward what I think ultimately we need to do.

SPEAKER WITHEM: Thank you, Senator Chambers. Senator Bromm, on the Lindsay amendment.

SENATOR BROMM: Thank you, Mr. Speaker. I wanted to address a couple things in the amendment and Senator Lindsay changed the language from similar offense to substantially the same offense and Senator Kristensen had some discussion on that. I wanted to clarify and put in the record as best we can a couple things on those words with Senator Lindsay, if I could ask him a question.

SPEAKER WITHEM: Senator Lindsay.

SENATOR LINDSAY: Yes.

SENATOR BROMM: Senator Lindsay, the words "substantially the same" that you've inserted in this amendment as opposed to "similar", striking the word "similar", are we speaking of having basically the same elements of a crime charged under the city or village ordinance as we would have under the state law?

SENATOR LINDSAY: Right.

SENATOR BROMM: Okay. So we would expect that the same proof would be required, so we're talking about substantially the same crime, substantially the same elements.

SENATOR LINDSAY: Right.