April 13, 2005   LB 673

committee amendments to LB 673.

SENATOR CHAMBERS: Mr. President and members of the Legislature, before you laugh at this amendment, if you look at it, give me an opportunity to explain why I'm offering it. This portion of the bill is talking about a person who has received notice and has not acted in a way that is deemed appropriate. This is what the language would say, beginning in line 19 on page 6: "you may, upon conviction, be subject to a fine of $100.00 per day for each day of noncompliance beginning on"...whatever that day would be..."up to a maximum of fifteen days of noncompliance," then, in parentheses, "(maximum $1,500)." I would strike "$1,500" and insert "$15,000." That can be done. Obviously, this is not a formula which is presented by the words, which will tell you the maximum amount that can be charged. It's saying that the maximum may be $1,500. Why put $1,500 if the maximum is the number of days times $100? You know that 100 times 15 is 1,500. So by virtue of putting $1,500 in parentheses after the word "maximum," it means it can be more than $1,500 if we choose to make it that. And we can do so. And that's what I'm doing. I'm taking this as seriously as Senator Louden, as the others who may have signed on to this bill. If one of these scofflaws is not going to do what he or she has been directed to do by the legally constituted authority of the county, make him or her pay. I'd like to ask Senator Louden a question.

SENATOR CUDABACK: Senator Louden, would you respond?

SENATOR LOUDEN: Yes.

SENATOR CHAMBERS: Senator Louden, where did you come up with the $100 per day fine?

SENATOR LOUDEN: Well, I don't know whether we plagiarized that out of something else. It could be in a weed deal. The idea was not to make this...you're not going to break somebody because they...that's got land in the county, that's probably trying to do something about it, that more or less needs just a little bit of nudging. So most of your laws like this have a maximum fine. I don't know what some of your class...different