

TRANSCRIPT PREPARED BY THE CLERK OF THE LEGISLATURE
Transcriber's Office
FLOOR DEBATE

March 13, 2003 LB 209

a basis for granting a stay.

SPEAKER BROMM: Senator Chambers, if I...if I could...I don't want to cut you off your answer...

SENATOR CHAMBERS: Sure, it's your time.

SPEAKER BROMM: ...but, you know, I know there are four criteria there. I think the last three criteria in many cases are reasonably easy to meet. The irreparable injury, most of us could show that we'd be injured if we couldn't drive, economically if nothing else; that I think we could show that if you grant me the relief, if I don't have a serious record of repeat arrests, that I'm probably not going to go out and do this again tomorrow and, therefore, I'm not a threat to the...to society. The first one, being able to show that you're likely to prevail, to me, is the big hurdle. Now...

SENATOR CHAMBERS: But the conjunction is "and." All four of them must...

SPEAKER BROMM: Right.

SENATOR CHAMBERS: ...be found or the court cannot...

SPEAKER BROMM: Exactly, so I think what I'm saying is...

SENATOR CUDABACK: Time.

SPEAKER BROMM: We'll continue this. Thank you.

SENATOR CUDABACK: I'm sorry, Senator Bromm. Senator Baker, followed by Senator Connealy, Senator Hartnett, Senator Chambers, and Senator Bromm. Senator Baker.

SENATOR BAKER: Thank you, Senator Cudaback and members. My question is of no one in particular, but how many people who go to the court file an appeal, then the way the law is now get their revocation lifted, and are out there arrested again on a subsequent drunk driving conviction? It's happened numerous times; much publicity involved each time this happens. I don't