

March 10, 1982

LB 568, 378A

SENATOR CLARK: The motion failed. That will complete... the Call is raised. That will complete the bill for today. It will still come up at a later time. We will now go to 568.

CLERK: Mr. President, if I may right before that, new A bill, LB 378A offered by Senator Cullan. (Read title.) Senator Fowler would like to have an Executive Session of the Retirement Systems Committee for next Tuesday at 9:00 a.m. underneath the north balcony. That is Senator Fowler and the Retirement Committee.

Mr. President, LB 568 is a bill that was introduced by Senator Haberman and Senator Hoagland. (Read title.) The bill was first read on January 6th of this year, Mr. President. It was referred to Judiciary. The bill was advanced to General File. There are committee amendments pending by the Judiciary Committee. Mr. President, I also have a series of amendments to the committee amendments.

SENATOR CLARK: Senator Nichol.

SENATOR NICHOL: Mr. Chairman and members of the Legislature, just in case you have been out of the country for a while and don't know what has been happening on the drunk driving, I will bring you up to date. There is currently a nationwide push to get drunk drivers off the road. There is, however, no consensus on what is the best way to do it. The Judiciary Committee held hearings this session on five bills, each with a somewhat different approach to the drunk driver. Some people want to put them in jail and throw away the keys. Some people want to send them to school. Some want to rehabilitate them. The Judiciary Committee wants to try a different approach. It is called walking. Besides lack of agreement over the approach to take, there is also disagreement over the cause of the problem. Is it the judges, the prosecutors, the defense attorneys, the police? Why is it that almost half of the people convicted for felony DWI and sent to the Nebraska Penitentiary come from Lancaster County? Why are drunk drivers treated differently in Scottsbluff than they are in Omaha? Why are the drivers' abstracts available from the Department of Motor Vehicles totally inadequate to support enhanced prosecution in many cases? After researching this area, I think the Legislature deserves its share of the blame also. We have allowed our laws in this area to become a mishmash of conflicting criminal, civil and administrative