

March 10, 1982

LB 568, 970

We need three more legislators to check in before we can proceed. Okay, record.

CLERK: Mr. President, we have a quorum. Mr. President, I have a new bill, 970 offered by the Speaker at the request of the Governor. (Read title.)

SPEAKER MARVEL: Okay we now are on LB 568.

CLERK: Mr. President, when we left 568 this morning Senator Haberman had pending his amendment to the Judiciary Committee amendments. They are Request 2774. You will find them in your bill books.

SPEAKER MARVEL: We are going to go right down the list on the ones who indicated an interest in 568. Senator Hoagland. Senator Vard Johnson.

SENATOR V. JOHNSON: Mr. Speaker and members of the body, I have a question of Senator Haberman. Senator Haberman, we were dealing with your amendment before lunch and maybe if I read the amendments I would be better off than to be working from the sheet. One thing I would like to know, Senator Haberman, is we talk about building up the penalties as men and women commit second, third, fourth and subsequent offenses. What is the time period involved for the commission of those offenses? For example, if fifteen years ago I was convicted of driving while intoxicated, would that be deemed my first offense so that if I was...ten years. Okay. Now is that ten years.... (interruption).

SENATOR HABERMAN: After ten years the slate is wiped clean.

SENATOR V. JOHNSON: What's that?

SENATOR HABERMAN: After ten years the slate is wiped clean.

SENATOR V. JOHNSON: Okay, after ten years, so that means that...now, is this measure retroactive in the sense that we look at offenses committed over the previous ten years or we start with your amendments from today counting the ten years?

SENATOR HABERMAN: No, it will start when the bill goes into effect.

SENATOR V. JOHNSON: Okay, so if I had a previous criminal record, if I had committed...if I had driven while intoxicated...been convicted of DWI last year and then a year