SENATOR CLARK: Is Senator DeCamp around? Sergeant at Arms, is Senator DeCamp out in the rotunda? At this time I think what we will do is go ahead and move the bill. He can put it on on Select File. He is not here. Senator Nichol.

SENATOR NICHOL: Mr. Chairman, I move for the advancement of LB 568 to Select File, as amended.

SENATOR CLARK: Senator Stoney, did you want to talk to the advancement?

SENATOR STONEY: Mr. President and members of the Legislature, I have remained silent on this issue to this point in time because as all of you well know there is more than one proposition to be given consideration this session on the subject of driving while intoxicated. The reason I mention that is because LB 870 which will follow the amended version of LB 568 attempts to address in a more punitive fashion this issue than the provisions of LB 568 reflect. And I have a feeling that on the amendments that were offered by Senator Haberman, a number of individuals here were not supportive of those amendments opting in the alternative to consider the provisions of LB 870. Now if you will listen to just one distinction between these two propositions, I think you will be able to make your decision as to whether or not you wish to support the advancement of this proposal or consider those encompassed in LB 870. Now I commend Senator Nichol and the Judiciary staff for attempting to address this serious societal problem, but what we have with LB 568 and LB 870 are two divergent approaches at the same problem. And, ladies and gentlemen, LB 870 in its provisions would limit judicial discretion...let me repeat that, it would limit judicial discretion moreso than the provisions of LB 568. I think one of the reasons that we are all concerned about what is happening at the present time with charges being filed, convictions, the penalties being meted out, we are a little concerned that there is inconsistency in applying these penalties, that we would like to see them more uniformly applied. And I would assure you that if you will take this into consideration and consider the provisions of LB 870, you will find them to your liking. So I would ask at the present time that those of you who would be supportive of a proposition that will limit judicial discretion, that you not consider advancing LB 568 but in the alternative consider the provisions encompassed in LB 870. Thank you.

SENATOR CLARK: Senator DeCamp.