

March 19, 1982

LB 870

CLERK: Mr. President, Senator Beyer would move to reconsider the Legislature's action in the indefinite postponement of LB 870. The motion may be found on page 1165 of the Legislative Journal.

PRESIDENT: The Chair recognizes Senator Beyer.

SENATOR BEYER: Mr. Speaker and colleagues, I ask reconsideration of this IPP motion on LB 870. The day that this was debated was the day of our Class of '81 Chili Feed and I was in and out of the Legislature and did not hear all of the debate. So I would like to have this bill reconsidered.

PRESIDENT: Any further discussion on...Senator Stoney, on the Beyer motion to reconsider the indefinite postponement. Senator Stoney.

SENATOR STONEY: Mr. President and members of the Legislature, I will be brief in addressing you on this issue. Many of you, as a matter of fact the majority, I have visited with since action was taken on this bill last Thursday. You will recall that the vote was 21 to 20 to kill this proposal. It was a simple majority. And with many that I have visited with, they feel that with the importance of this issue and the thrust of this proposal that it should indeed be given further consideration this session. Now this bill, to refresh your memories, will provide mandatory jail sentences and fines for those who are convicted of driving while under the influence of alcohol. Let me add, however, one proviso...I have agreed and this came about through discussion with many of you who I visited with about reconsideration on this motion that the provision originally in the bill which provided for mandatory jail sentence and fine is being eliminated. If the reconsideration motion is successful, I do plan to place on the Clerk's desk an amendment to address that. Many also expressed their concerns with having two propositions to be considered this year dealing with the same issue, that being the drunk driver. But let me say this relative to the differences between LB 568 which has been advanced, that proposal which was offered by the Judiciary Committee and LB 870. LB 568, ladies and gentlemen, provides for suspension of sentences on second and subsequent offenses. This would not be true in LB 870, so there is a philosophic difference here that you must deal with in your own conscience on deciding whether or not you will support that proposition or what is incorporated in LB 870. So that is the major distinction. I just circulated and hope that you will take the time to refer to the poll which