

April 14, 1982

LB 568

CLERK: Mr. President, Senator Chambers, I understand you wish to withdraw your amendment to 568, is that right, Senator?

SENATOR CLARK: It is withdrawn. The Clerk will read the bill.

CLERK: Well, Mr. President, Senator Kilgarin is yet to arrive. I do have a motion from Senator Koch. Did you want to take it up, Senator?

SENATOR CLARK: Senator Koch, did you wish to take up that motion?

SENATOR KOCH: Yes.

CLERK: Mr. President, Senator Koch would move to return LB 568 to Select File for specific amendment, that amendment being to strike the enacting clause.

SENATOR CLARK: Senator Koch.

SENATOR KOCH: Thank you, Mr. Chairman, members of the body, I think it is important that this body knows exactly what we are doing prior to the time we make the decision, either negative or positive. The thing that bothers me, and I have yet to get a straight answer on what the provisions of this bill are, I know Senator Haberman read into the record that he inadvertently made a misstatement the other evening, but it bothers me when you are going to take the first offense and there may be probation rather than a seven day jail sentence but most of all your license is suspended for 60 days. Now I think this is unreasonable punishment. If there is a bodily injury involved, then that is something different, but when there is nothing else involved except the fact this person has not used good judgment, I think this is extreme because in many cases individuals, if you have only one car, you may be in a heap of trouble particularly if you don't have MAT or some other means of transportation, and if you don't have Happy Cab, you are indeed in a lot of trouble. In fact when we pass this bill, we ought to form a corporation called, DWI Inc., it is a cab company which would no doubt flourish providing you impose the law to its fullest extent. Now then I have a question of Senator Haberman. I want him to tell me about the three offenses as to exactly what happens to an individual, first, second, and third, and what the extreme penalty might be, if he would yield to that question.

SENATOR CLARK: Senator Nichol. Senator Haberman.