

February 4, 1987

LB 79, 227

CLERK: Mr. President, on LB 227, I do have E & R amendments pending.

SENATOR MOORE: Mr. Speaker, I move the E & R amendments to LB 227 be adopted.

SPEAKER BARRETT: You have heard the motion. All in favor say aye. Opposed no. The ayes have it, carried.

CLERK: Mr. President, on the next bill on Select file, LB 79, I have pending an amendment from Senator Hall to that bill.

SENATOR LABEDZ PRESIDING

SENATOR LABEDZ: Senator Hall.

SENATOR HALL: Mr. President and members, LB 79 is the bill that Senator Barrett had on Select File the other day, and I unsuccessfully tried to put a kill motion on it saying at that time that there was probably no way to amend it to make it better. Again, I was wrong. The bill is up on Select File again and I have offered an amendment that I think will take care of the issue that Senator Barrett rightfully has with the way that the courts are dealing sometimes with individuals who are repeat offenders. You are being passed out right now the amendment and the amendment is a very technical amendment in that it lists violations and the sections that are referred to there. There is also an explanation that is being passed out that lists for you the seven sections and actually what they do, and the offenses, I will just read it to you, the offenses which would result in loss of points even if the offender is placed on probation are as follows: And that would include motor vehicle homicide, reckless driving, willful reckless driving, driving while intoxicated, refusal to submit to a chemical test, failure to stop and render aid in an accident, and failure to report an accident. So these seven sections would result in loss of points even if the individual were to be placed on probation. So, they would take care of the concern that I heard expressed on the floor. And I think one of the main or chief reasons that the bill was introduced, those issues, as I stated the other day, I could not argue with the example that Senator Barrett gave. My concern, as it was at that time and is today, is that individuals are being lumped together in one category and I have a problem with that. I think the probation system works for a lot of young individuals who may have a heavy foot, and many of us had that in our earlier days. So, I would urge the body to