

January 29, 1988

LB 377

PRESIDENT: So...

SENATOR HALL: Mr. President, I would urge the body to vote no to return the bill at this time and my motion will be on the desk.

PRESIDENT: All right.

SENATOR HALL: Thank you, Mr. Speaker.

PRESIDENT: Yes. The question is the return of the bill. All those in favor vote aye, opposed nay. Record, Mr. Clerk.

CLERK: 3 ayes, 28 nays, Mr. President, on the motion to return.

PRESIDENT: The bill is not returned. Do you have anything further on it, Mr. Clerk?

CLERK: Mr. President, Senator Hall would move to return the bill for a specific amendment. (Hall amendment appears on page 568 of the Legislative Journal.)

PRESIDENT: Senator Hall, please.

SENATOR HALL: Mr. President, members, this is a motion to return the bill for the amendment that I had talked about that would say the individual would be subject to the penalty of six months if they were convicted, they plead guilty, or if they were not guilty to the charge of failure to yield DWI conviction under the influence. It is not something, never was my intent to have someone who is totally innocent be penalize severely or more severely, twice as severely as an individual who was guilty. The whole idea and the whole premise of the DWI laws and the concern that I think Senator Wesely, and rightfully so, has is that you get the folks who are consistently have problems, who are out there and who have been able to administratively get around the law by not having a DWI conviction show up on their record, I'm willing to accommodate that, they ought to. Somebody ought to have the DWI on their record and that is what this amendment would continue to allow for. The provision though would also not over penalize someone who was not guilty and I think that that is a very just amendment and I apologize that I didn't have it worded right when we dealt with this on Select File. Thank you, Mr. President. I would answer any questions that someone might