

don't know if we'll get to that unless we decide to do some extensive consent calendars, so this is my attempt to, quite up front and honest, put a...hang a ball on this Christmas tree here and try and solve my problem. What LB 820 and now this amendment would have done, it plugs a loophole in our present DWI statutes. I have passed out two pieces of information, one is the amendment, AM2067 to LB 377, on the backside of that the little explanation of my amendment. I have also passed out a letter from my York County Attorney to Rick Boucher with the County Attorneys Association, which really outlines the reasons for this bill and I said it closes a loophole. Presently, license revocation for a DWI offender starts at the time of conviction. This creates three problems. The first problem it creates is it makes it very difficult for the court to conduct a presentence investigation, the reason being that once that conviction has taken place, the clock starts running. The clock starts running and if someone so desires to do a presentence investigation, that is just time away from the license suspension and it almost discourages the court from doing such. The second problem which is actually addressed in a Supreme Court case in the State v. Schultz last year was a Supreme Court case that stemmed from a York County problem we had out there, in that case a gentleman had been placed on probation when he was convicted for DWI. So his license was not...the way I understand it, his license, whatever happened there, he was placed on probation. Later on, his probation was revoked. Well, the attitude was, well, now that he did not adhere to his probation we should go back in and suspend his license. Well, they couldn't do that because the conviction had taken place quite a while back. The license was, you know, suspension had to be from the time of conviction, because he was on probation his license was not suspended, while once they revoked the probation they cannot go back in and suspend his license. That was the problem that the Supreme Court addressed. The third problem is that technically some, the way I understand it, there are some people that have realized that actually through the appeal process you could run the clock out on your license suspension without ever having to lose your license. And I don't that is right. I don't think it's right when through a loophole in the law someone that, in all likelihood, can afford enough to get an attorney that knows the loopholes can get out of losing his license. I don't think that's fair. This bill, this amendment, would solve those problems by, as you can see with the change, simply would have the revocation be administered, one, upon sentencing; two, upon final judgment of