

COMMITTEE STATEMENT

LB 1004

HEARING DATE: February 1, 2000

COMMITTEE ON: Transportation and Telecommunications

TITLE: (Engel, Baker, Brashear, Bromm, Brown, Bruning, Byars, Connealy, Coordsen, Crosby, Dickey, Dierks, Hartnett, Jensen, Jones, Kremer, Matzke, D. Pederson, Preister, Price, Raikes, Redfield, Schmitt, Schrock, Smith, Tyson, Vrtiska, Wehrbein, Wickersham) Recognize certain out-of-state convictions for driving under the influence for purposes of assessing penalties

ROLL CALL VOTE – FINAL COMMITTEE ACTION

Advanced to General File

X Advanced to General File with Amendments

Indefinitely Postponed

Vote Results:

8 Yes Senators Bromm, Dw. Pedersen, Baker, Thompson,
Jones, Hudkins, Robak, Byars

No

Present, not voting

Absent

<u>PROPOSERS</u>	<u>REPRESENTING</u>
Senator Engel	Introducer
Robert Finney	Dakota County Attorney
Marty Conboy	City of Omaha
Chris Perrone	Sarpy County Attorney
Sim Reynolds	MADD
Charlene Morris	Self

<u>OPPOSERS</u>	<u>REPRESENTING</u>
Mike Kelley	NCDA

<u>NEUTRAL</u>	<u>REPRESENTING</u>
Terry Campbell	National Motorists Assoc.

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SUMMARY OF PURPOSE AND/OR CHANGES:

Language in § 60-6,196 allows for the incorporation of a DUI from any other state, city, village or territory in the jurisdiction of the United States, to be considered as a prior conviction. The individual subsections cover first, second, and third or subsequent offenses. Language in § 60-6,197 adds the above scheme to refusal to submit to a chemical, blood, breath, or urine test.

EXPLANATION OF AMENDMENTS, IF ANY:

The amendment 1) corrects the oversight of not including the new language in the twelve-year limitation in the original bill 2) allows for judicial notice of the statutes of this state and others at the time of the prior conviction, and 3) specifies that the crime committed in another state at another time must be illegal in this state at that time to be used as a prior conviction.

Senator Curt Bromm