

TRANSCRIPT PREPARED BY THE CLERK OF THE LEGISLATURE
Transcriber's Office
ELCQR DEBATE

March 9, 2001

LB 114

for my amendment, but I want to make it clear for the record that adoption of this amendment does not take away my opposition to the bill. I want to do everything I can to kill this bill. It's very poorly drafted, just from the standpoint of grammar and syntax, s-y-n-t-a-x, rather than s-i-n. I'm not talking about the sin, tax with a tax on sin, although my young colleague, Senator Quandahl has made the error of prioritizing a bad bill. Such things happen. We roll the dice, hoping a number will come up that allows us to win. That does not always happen. That is the definition of gambling. You lay a wager on the outcome of an event over which you don't have any control, and the event is based entirely on chance. So even if the amendments that I'm offering would be accepted, I will not support the bill. There is one I'm going to offer which, if accepted, I will support the bill. And to jump ahead of myself on that one, it would say that any person who violates any provision of the Nebraska Liquor Control Act will, in addition to any other penalty imposed for that violation, lose his or her driver's license for six months. This bill is especially pernicious because it heaps punishment on top of punishment. It is more harsh in dealing with young people than the law deals with adults. I'm going to talk about that liquor guy, I meant that guy on the Game and Parks Commission, and his venture into drunken driving, and show that society is less excited about that than they are about potential violations, created violations, by young people. If anybody would take my advice, young or old, I would say leave John Barleycorn alone. Leave the alcoholic beverages alone. But people are not going to take that advice. When we're going to pass laws, there should be consistency, there should be proportionality, and those of us who deal with the death penalty know that the term proportionality means that similarly situated people should be treated in a similar fashion when they're going to be punished for a violation of the particular law. When we have a set of circumstances where people who are more culpable, meaning they are older, they are more experienced, they should be wiser, are going to violate a law, and they're punished less severely than the young, the inexperienced, the naive. Those who are vulnerable to persuasion and coercion ought not be so readily punished harshly as this Legislature seems to be willing to do when the vulnerable ones are young people. It was a longer time