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FLOOR DEBATE

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SENATOR HILGERT: ...intervene in the lives of these young people who are at risk and in need of services. So when the debate continues and when the proponents of the bill are thinking creatively for penalties and responses, perhaps this should enter into the argument. What about saying if you're in this situation, you're going to go and you're going to get an assessment done? We're going to see if you've got a problem, we're going to talk, and then perhaps, you know, the second, third or fourth offenses, this type of thing, something else. But the object here is not to punish children, the object is to save Nebraska's children, and you're not going to get sobriety just by being penalized, just by saying, well, we're going to take your license away. If you're breaking the law already, what's the license going to be as a deterrent? I'm going to drink underage, I'm going to do these things but...

SPEAKER KRISTENSEN: Time. Senator Thompson.

SENATOR HILGERT: Thank you.

SENATOR THOMPSON: Thank you, Mr. Speaker. Just a couple of comments as negotiations go on with this bill. Sometimes we do things in the Legislature that have unintended consequences, so I hope when the discussion of penalties continues that we look carefully at the issue of stating in statute this impoundment penalty, and the reason is that it will be our first reference to that. Currently judges do impound. They impound when a vehicle may have been used in committing a burglary or a theft. They have that ability but it's not stated in statute specifically for a purpose. If we state this specifically for this restriction on motor vehicle licenses for minors, then we could have the unintended consequence of the implication that we don't allow it in any other way. And my understanding is similar cases have gone to the Supreme Court and have been upheld. I think juvenile court judges and county court judges who wish to impound a license when a vehicle has been used in the commission of a crime for a minor, should have that ability, and I don't think we should put this forward on a...on another type of offense that could have the impact of making the other uses of the impoundment or suspension tool limited for judges.