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FLOOR DEBATE

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SENATOR CHAMBERS: Thank you, Madam President. Members of the Legislature, we had a serious discussion the other day about this ALR or Administrative License Revocation program. When we were dealing with the claims bill, the discussion took place because a number of county attorneys were making claims to the state to be reimbursed from General Fund money for having handled some of these ALR appeals which the Attorney General's Office has decided not to touch. Every one of these claims, however, was supported by the Attorney General. The program itself, so that you know my position on it, was strenuously opposed by me when the Legislature was trying to put it in place in the first place. It came at a time when they were launching one of these crusades against drinking and driving. They put in place as a result thereof a program which never worked in the first place. It was not effective in the first place, but it is being maintained now because the Department of Motor Vehicles can get some money for its cash fund. A bit of money goes into the General Fund because when they take a person's license, the person has to pay a fee to have it reinstated. There are some counties where, in effect, ALR is not enforced at all. Other counties have a spotty enforcement as the county attorney can decide to take time to pad his or her personal finances. In some counties such as Douglas and Lancaster, there is no charge made by the individual county attorney who handles ALR appeals, but everyone is able to do so, and since under the law, as articulated by the Nebraska Supreme Court, a county attorney can do this, every county attorney may decide to do so. County boards may decide to reduce the budget of the county attorney's office in their county by the amount that may be absorbed by the county attorney handling these ALR appeals. In that case, either these counties will no longer do them or these county attorneys are going to bill the state for each one of these hundreds of appeals which will take place. It is a very bad, inefficient program that has had no appreciable effect on those who drive and drink. Methodologies to circumvent the program have been put in place, some of them statutorily; this interlock where you breathe in it or get somebody else who hasn't been drinking to breathe into it, then your car is operational. One judge has looked at the program the way it has been enforced or not properly enforced, based on its inherent flaws, and