

March 10, 1982

LB 568

increasing that to 60 days.

SENATOR HABERMAN: If they are caught on probation without a license, then is there anything else happens to them?

SENATOR SIECK: The present law will take effect.

SENATOR HABERMAN: What does the present law say?

SENATOR SIECK: The present....if they are driving without a license, I believe a felony. If they are driving without a license, there is another law that takes effect.

SENATOR HABERMAN: But you don't know what it does?

SENATOR SIECK: No, I don't know what it does.

SENATOR HABERMAN: Thank you, Mr. President.

SENATOR CLARK: Senator Higgins.

SENATOR HIGGINS: Mr. President, I would like to ask Senator Sieck or Senator Nichol, whoever knows the answer, as the bill is written and as you are amending it, will this apply to a 14 year old that drinks, gets drunk, takes her mother's or father's car, then the 14 year old gets a mandatory jail sentence? I mean, as I read the bill it says, all persons.

SENATOR SIECK: He shouldn't have a license in the first place.

SENATOR HIGGINS: Well, that is true, but the bill says any person driving a motor vehicle while under the influence, and that is why I want the clarification.

SENATOR SIECK: The court would take care of that particular situation.

SENATOR HIGGINS: But wouldn't the court have to go by the law that says any person?

SENATOR SIECK: Yes, it would, and it would.

SENATOR HIGGINS: So then a trial for a 14 year old that sneaks out mom and dad's car and they are drunk, mandatory sentence would be 7 days.

SENATOR SIECK: It could, yes. It could. It depends on the discretion of the judge.