

March 10, 1982

LB 568

centralize on that point because we really are concerned about the drunk driver being a menace to others in society. You know, when the drunk driver when he is just a drunk and he is walking down the sidewalk, he is not a big problem to anyone but himself. Well, that may not totally be true but he is not a big problem to society in general. It is when he gets behind the automobile that creates that kind of a problem. And what we are trying to do with this law, with this legislation, is to keep them from being behind that automobile while they are intoxicated and stop them from being a danger to us all. And with that in mind I think this amendment will help those individuals better understand. This amendment will allow that program that exists in two counties to continue. I don't think as Senator Nichol does that it is a major problem in terms of overall enforcement. I don't think it is going to be a major problem. These are programs that have existed for a long time and they are programs that really have been working, they have good records and they ought to continue to do that. So with that in mind, I would urge this Legislature to consider the central issue and not the subsidiary issue of whether or not it is a change from what has been proposed. Look at the central issue and that is whether or not we want to keep these people who are problems to us all from driving, and can this program do that. I think it can. I think we ought to accept the amendment.

SENATOR CLARK: Senator Chambers. We are on the Koch amendment.

SENATOR CHAMBERS: Mr. Chairman, I didn't know an amendment like this would be offered, so I have got to speak in behalf of it. For the record, I want it clear that I don't drink whether I am going to drive or not. I don't like to be around drunks. I say that so that it is clear I am not speaking in justification of what these kind of people do, but I do think that once the state decides that it is going to take action with reference to certain types of conduct, there ought to be a rational approach involved in what the state is going to do. These programs were testified to during the hearing before the Judiciary Committee, a county attorney and some individuals who had been through these programs and they talked about the value that they have. Now if, as Senator Hoagland said, he thinks throwing somebody in jail for a weekend is going to save so many and so many lives if you multiply the number of people you put in jail, then these pre-trial diversion programs, if we were told the truth, have accomplished the same end, not just on a weekend basis while

8661