

offense. Now I suspect the Maine system is a more balanced approach and I think Senator Vickers and Senator Chambers essentially are correct and that is what we should do is to reject LB 870 and to reject the amendments to LB 870 and sit down and keep to the main force which is LB 568, work that bill through with amendments. I tend to favor the Maine approach and I think we will be able to come up with a reasonable DWI statute which will meet the demands that society presently has, rightfully so, to reduce the number of drinkers and drivers on our streets but by the same token not continuous down this path that we follow inexorably to tremendous jail overcrowding and to a tendency...

SENATOR CLARK: You have about thirty seconds.

SENATOR V. JOHNSON: ...to imprison almost everybody in society who commits an offense that we find troubling.

SENATOR CLARK: Senator Cullan, we are on the amendment.

SENATOR CULLAN: Mr. President, members of the Legislature, I wonder if I might ask a question of Senator Stoney.

SENATOR CLARK: Senator Stoney.

SENATOR CULLAN: Senator Stoney, we have had so many amendments and stuff, I am not sure where we were on the other bill, but is it my understanding that your bill will require mandatory time in jail for the first offense DWI and that is not the case with the other bill, is that correct?

SENATOR STONEY: That is correct, Senator Cullan. It would on first offense and conviction provide for 48 hours and a \$250 fine. I might also point out in both classifications where there is bodily injury involved as well as where there is no bodily injury, there is also a possibility with the judge's discretion for probation in that first instance.

SENATOR CULLAN: Thank you, Senator Stoney. Mr. President, members of the Legislature, I would rise to support LB 870 versus the other bill that has been advanced from General File and I think it is perfectly logical for us in some instances to advance competing proposals from General File to later stages of debate. I agree that our population in our prison system in the State of Nebraska is increasing and that there could be some problems there but I don't think those problems are nearly as serious as the problems that we experienced in the past so far as driving while under the influence of alcohol is concerned and I don't think that the public is going to take it seriously until