

March 11, 1982

LB 870

we begin to require mandatory periods of time in incarceration for driving while under the influence of alcohol. I think this is the basically philosophical difference between the two bills. I think Senator Stoney's is the approach which we should adopt. If we fail to adopt this system, we really are not making substantive changes in the way we are handling DWI. People are going to take this seriously when they have to sit in jail for 48 hours and think about what has happened to them, think about the potential damage which they could have caused by their actions, and I think that this period of isolation from their families and from society is going to be very beneficial in the long run and I urge you to advance LB 870 to make this change in the statutes of the State of Nebraska and do something meaningful as far as DWI is concerned.

SENATOR CLARK: Senator Nichol.

SENATOR NICHOL: Mr. Chairman and members of the body, I have a list of items that I could give you now why we should not adopt Senator Stoney's bill. I have the highest regard for Senator Stoney and always will have. He is an extremely fine member of the Judiciary Committee and I know he has every good thoughts about providing a good bill. However, we have two problems. Senator DeCamp, incidentally, has a bill that is very interesting. We have the big problem of time. If we are going to do anything this year, I don't think we can take Senator DeCamp's bill, Senator Stoney's bill, the committee bill, and argue them sufficiently on this floor to come up with something. Certainly we can't adopt all three. We could only get one. I would suggest that we do kill Senator Stoney's bill, and whatever amendments he tries to put on the other bill, he certainly has an opportunity to do so in trying to get those things into the bill that he would like, and none of us are going to come out with the exact bill that we would like to have. Maybe we will come out with no bill this year which would be worse than most anything. But I would suggest that we do kill Senator Stoney's bill and attempt to amend the one we have started on its way. I really am interested in Senator DeCamp's bill but here again it deals with criminal law, civil law, and a combination of the two which might be very good, and is the Maine bill. I was gone for part of Senator Stoney's presentation but it appears that it is the California law which is working and we would have to make some modifications in our other law to accommodate Senator Stoney's bill. Thank you.

SENATOR CLARK: Senator DeCamp. The question has been called for, do I see five hands? I do. Shall debate now cease? All

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