

March 11, 1982

LB 870

those in favor vote aye, opposed vote nay.

CLERK: Senator Clark voting yes.

SENATOR CLARK: Have you all voted on ceasing debate? It looks like we are a little short of attendance. We are voting on ceasing debate. Record the vote.

CLERK: 26 ayes, 0 nays to cease debate, Mr. President.

SENATOR CLARK: Debate has ceased. Senator Stoney, do you wish to close on your amendment?

SENATOR STONEY: Mr. President, I am a little confused. Are we talking about the kill motion? Are we talking about the amendment?

SENATOR CLARK: We are talking about your amendment.

SENATOR STONEY: All right, thank you. Yes, I will and I will be brief. Again, we are dealing with a concept in LB 870 which is not expressed in 568, and to be very frank, it deals with mandatory jail time and with fines. I have appreciation for what all of my colleagues have said, more appreciation, of course, for what Senator Cullan said than others, but I do believe that if we had a law such as this it would establish a bit more equity than we have in the present system. Ladies and gentlemen, we have people, the people that we represent, and I know Senator Chambers in his remarks said that the public in their ignorance are asking for this type of legislation, well, ladies and gentlemen, they are the ones that we are here to represent. They are the ones in this instance that need to be protected and I think it is our responsibility as legislators to deal with that. Now Senator Johnson referred to imprisonment and violent offenders, drinking drivers not being those types. Well, they do become those types on some occasions, ladies and gentlemen, because believe it or not they kill people. Drinking and driving is a serious offense. It may not seem too serious to those of us who have never had our lives or our families touched by such an offense but they are violent offenders. I have a letter from a gentleman that would give you some information relative to this particular subject and I want to share it with you. His sixteen year old daughter was killed in Omaha. She doesn't live in my District but she was killed at an intersection, there were stop signs, a four-way stop. She was involved in an automobile accident with a drunk driver. It was this individual's second offense. Now this driver received a fine of \$500. He also was charged with court costs of \$57 and received probation for two years which was subsequently reduced to one year and I think the tragic thing

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