

March 19, 1982

LB 870

offenses. LB 870 would do just that. Maybe you don't think that is important but I do, and I don't think we should be bringing back LB 870 to say, all drunk driving offenses in the past are forgiven and wiped clean from the slate. The committee draft would accomplish this by taking prior convictions into consideration for sentencing purposes not for enhancement of the type of offense. I know there are a lot of people out there that want to put drunk drivers in jail, but in America you have to convict them first. This bill simply isn't going to do that job and I oppose the reconsideration. Incidentally, meeting yesterday with Senator Haberman who sponsored LB 568 originally and which, of course, has been amended by the committee amendments will attempt to put mandatory jail sentences on first, second and third offense drunk driving, whether or not you adopt that will be up to you but I don't think we should take LB 870 especially this year to attempt to make it into something palatable and workable. I oppose the reconsideration.

PRESIDENT: The Chair recognizes Senator Haberman.

SENATOR HABERMAN: Mr. President and members of the Legislature, my staff in my office has spent hundreds of dollars and hundreds of hours in drawing up LB 568 which started out with many of the things that Senator Stoney has in his bill. Now I have met with many groups and found out that that isn't the way to go, it isn't going to work. So the committee came out with a bill and now Senator Hoagland and I who are sponsoring 568 have met with the committee. I believe we have worked out a compromise that will have mandatory sentencing. It will be up to this body to accept them, and I would ask that you do not revise Senator Stoney's bill because we should not have two bills on the same issue before this body, as we only have 13 days left. It takes 8 days for a bill to go across the board, a fourth of that time is going to be spent on Final Reading. We have to get to the budget. We have to get to the \$80 million distribution, and we just won't have time and the public is demanding that we come out and we pass a new form of DWI legislation, and as I say, Senator Hoagland and myself and the committee and Senator Nichol, we have gotten together, and if Senator Stoney wishes to try and wants to put some amendments onto 568, that is fine, and if the body buys them that will be fine. But to have a brand new bill and have amendments be put on that and take it out and attack it and it will just turn it into a fight. We are going to lose time and this body will end up with not having passed a DWI bill and then what are we going to look like in the eyes of the public? So I say to you, let's let Senator