

April 5, 1982

LB 568

cases. For this reason I guess I would have to be against Senator Wesely's amendment and against the bill proper. Thank you.

SENATOR LAMB: Senator Wesely to close.

SENATOR WESELY: Mr. President, members of the Legislature, could I ask Senator Nichol one question please, Senator Nichol?

SENATOR NICHOL: Yes.

SENATOR WESELY: I was wondering, you talked in response to Senator Higgins question about manslaughter, motor vehicle homicide, I was wondering if you are convicted of manslaughter, motor vehicle homicide, could you have your license permanently suspended?

SENATOR NICHOL: Whatever the judge says.

SENATOR WESELY: I'm not sure that they can permanently suspend your license.

SENATOR NICHOL: Then don't ask me.

SENATOR WESELY: I was just wondering to make sure. I didn't know if you knew that. What I am trying to say is that as Senator Higgins said, we are taking away, with the possibility of permanent license suspension for third conviction of drunk driving, but I'm not sure that is a penalty option if you are convicted of manslaughter or motor vehicle homicide, although there are other penalties that are more severe for those cases, we are not talking about permanent license suspension. It seems to me a more reasonable proposal is what is embodied in this amendment which is a five year suspension of the license, which would be mandatory. I think it is a far more reasonable approach. I think it is quite clear when you have something like a permanent license suspension you may have judges that don't want to convict this person that would probably move to probation or more likely to because of the fact that they are concerned about the severity of that penalty. I think it makes a lot more sense to talk about a five year suspension, which is a much great suspension than the one year under the second conviction, and not talk about a permanent license revocation which I think is a step we don't want to take at this time. I'm asking for you support for the amendment and would hope that you would give a vote.

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