

wipe out the DWI laws. You are taking that law which we currently follow which is in place in the statutes and you put into place a system that overrides that, an administrative procedures system that overrides it, that says you no longer need to have the DWI law in place. And Senator Lindsay, I think, very honestly and forthrightly has put up an amendment that just, basically, shoves over the balance of the DWI statute into LB 799. He put the penalty, the conviction, the imprisonment, and the fine altogether, and by adopting his amendment, at least you are being honest about what the attempt is to do through the bill. Senator Warner talked about there might be an injustice or a slight lack of justice, and, Senator Warner, I would not disagree. I have personal experience with DWI drivers, and have had family members who have spent months in the hospital because of somebody who was driving while under the influence. One of them still has, who happened to be an all-American cross-country, still has a leg that is put together with tinfoil and wire but he gets around real well. That is not the point because at where does that slight lack of injustice stop. If you start here, if you start with everybody that we want to put the red A on their forehead in the DWI, or put the DWI stamp on their forehead, if you begin here, where do you stop? Where does that slight lack of justice end? At what point do we say, well, no, we no longer, now we are going to apply full justice to this instance. Yet maybe that is what folks across the country think is right. Maybe that is how they feel, that we should be tougher. We should not have any sympathy for these people. But my understanding is that is not what this country was built on, that everybody had the right to due process, everybody had the right to have their day in court. Maybe those individuals who are driving under the influence deserve everything they get, and I would agree with you there, but that is not what this bill says. It doesn't say that someone, as you stated, impaired, driving while impaired, and those were your words, and they are I think very carefully chosen. That is not what this bill says. I can be totally sober, totally without any impairment, and refuse to take that test. Why? Who knows. Maybe I don't understand the law, maybe the officer, and I would agree with the statement that someone made that they are 99.9 percent of them fine individuals, maybe that officer is hassling me on something else and he says you have to take this breathalyzer test. I refuse to take it because it is clear that I am not intoxicated, it is clear I haven't been drinking, it is clear that he is hassling me on something else, or I got pulled over for another infraction.