

SPEAKER BARRETT: Thank you. It is withdrawn. Mr. Clerk, an amendment.

CLERK: Mr. President, Senator Bernard-Stevens would move to amend the bill. (See FA378 on page 989 of the Legislative Journal.)

SPEAKER BARRETT: Senator Bernard-Stevens, please.

SENATOR BERNARD-STEVENS: Thank you, Mr. President, and members of the body. Senator Beyer, I think the amendment is one that you might be able to agree to. I am not sure but I will try to explain it. It is one that I just wrote up here so there is not a copy of it, so I will do the best I can. One of the things that would help me measurably to support a bill that in my heart I want to support as much as possible is the amendment that I have pending. And, quite honestly, I haven't had a lot of time to evaluate the pros and cons. It may be an amendment that the members of the body will discuss and will say, no, no, that is not a good thing, and that is fine. But I think we, at least, need to discuss the idea, and that is as following: My amendment would basically say and does say that irregardless of what the Department of Motor Vehicles does in its decisions on the suspension of the license, that if there is a case pending, if there is a case pending, that such actions will not apply until after the case has been decided, or, in other words, until we know whether the defendant is innocent and/or guilty. If the case finds the defendant acquitted or the case is dropped or... I guess those would be the two, if its case was dropped, such actions of the agency shall not apply. If in the case that it is found guilty, then, obviously, such actions of the agency would apply. And I guess what I am trying to get around is that of the person who is found innocent and yet has been punished before that decision has been rendered down. In other words, he has to prove the innocence because we have shown him guilty before the facts are before the jury. And, also, the amendment would basically say that the Department of Motor Vehicles, if a particular case that they have is going to court, they could make their decision to suspend the license for one year or three years or five years, depending upon where we are in that cycle of LB 799, but the actual revocation of that license cannot take place until after the decision of the courts. And I thought that amendment, at least, should be offered so we could have some discussion on that purpose, no matter what the body does is