

virtually all states that border Nebraska, except for one, with regard to the compilation of offenses in order to allow for first offense being taken into consideration. What that means is that if five years go by and an individual has not had a subsequent or second offense then, for purposes of dealing with that offense, it would be dealt with as if it were a first offense. In other words, if you're clean for five years, you were picked up down the road for another DWI, it would be dealt with as a first offense. Five years is the length of time I think every state around Nebraska, which has a law similar to the one that is being proposed in the committee amendments to LB 291, has in place. It makes very good sense to me to say that if we're going to mirror those kinds of pieces of legislation and argue that ALR is important and makes good sense for the folks in the State of Nebraska, then I think we ought to look at it as it relates to the whole series of proposals that are in those similar pieces of legislation. And it goes after, this amendment, the people who are really the problem. If you look at the statistics, if you look at the statistics it will show that those individuals who cause the traffic fatalities, that those individuals who have the property damage accidents, those are your chronic drunk drivers, those are the individuals who have an alcohol problem. They are not the first time offenders, they are not the one time individuals who get picked up and subsequently do not have to worry about that problem, because they learn their lesson, so to speak. The issue here is dealing with those individuals who cause a problem. And we're addressing this in 291 and the committee amendments to it in the wrong way, in my opinion. What we're doing is putting the hammer on the front end. We're saying we're going to beef up the penalty at the beginning to...from a 30 day, 30 day jail time, 30 day jail time to 60 day jail time, we're going to double that. And I guess my first question would be, why? Nebraska has one of the toughest drunk driving laws in the region in place, in place. The one thing we don't have is the one thing that Senator Kristensen talked about with regard to policy changes, and that being ALR. Other than that, we are as tough, or tougher than our neighboring states. Our conviction rate, the number of drunk driving arrests have skyrocketed, they've gone up in the last ten years. There's a World-Herald article, November 29, 1991, less than two months ago, that lays out just exactly where Nebraska is in comparison to other states and what has taken place. It shows that just in the last three years, in 1988 there were 11,343 drunk driving arrests, in 1990 there were 14,403 drunk driving arrests, that's a 3,000 number