

February 2, 1996 LB 645, 1307

SPEAKER WITHEM: The bill advances. Mr. Clerk, we have several motions scheduled here at eleven forty-five. The first item would be motion to withdraw, Journal page 664.

CLERK: Mr. President, Senator Kristensen would like to withdraw Legislative Bill 1307.

SPEAKER WITHEM: Senator Kristensen.

SENATOR KRISTENSEN: Thank you, Mr. President and members of the Legislature. LB 1307 was introduced as a fail-safe bill, depending on what the Nebraska Supreme Court did with their ruling in the double jeopardy issue regarding drunk driving and administrative license revocation. The court had not ruled by the time the end of bill introduction had occurred, so this bill was introduced in case the Legislature needed to address the issue and wanted to visit it. And since the ruling has occurred, it's my feeling we no longer need the bill. If we want to address other issues, there is other legislation, but this bill is no longer necessary. Would ask that we be relieved of the bill and would like to have it withdrawn at this time. Thank you.

SPEAKER WITHEM: Senator Chambers, to address the motion to withdraw LB 1307.

SENATOR CHAMBERS: Mr. Speaker and members of the Legislature, I'd like to ask Senator Kristensen a question. Senator Kristensen, is the Young case still pending before the Supreme Court, or have they given a decision on that one also?

SENATOR KRISTENSEN: I'm not aware that the Young case has come down, but the case, and I think it's Hansen. did come down and I think it's dispositive of the issue.

SENATOR CHAMBERS: But the Young case, in the Hansen case a person was not punished; in the Young case a person was. So, and I'm just saying this for the record, courts, the Supreme Court has on occasion been asked to reconsider. That has not been done in this case, and maybe because there still is a case dealing with the issue, although in this case the person was punished, and I'm wondering if there's a possibility the court could rule a different way. I don't know that it will. Maybe