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LB 126

your operation. That bill was in, the committee didn't report it out. In an unusual circumstance, not very common, this Legislature pulled that bill out of the committee that was...that had not advanced it. That doesn't happen very often and it did...it happened because I thought the body wanted to make some pretty clear declaration that they wanted some action here. Got onto the floor, there was a controversial debate. Dwite Pedersen made an argument. And he said, wait a second, you've got that thing in there which allows this process to go forward, but it doesn't have to be for the same violation. And I said, look, if we were to amend that for second violations of the same offense, would that be acceptable, and he said, well, yeah, I could live with that. So we made that adoption on the floor, we made that adjustment. It had been pulled out of committee, we made that amendment, and we reported it on to Select File and time ran out. It wasn't a committee priority, it wasn't a personal priority. The session came to an end. This year, Stan has tried to work this bill out, and he said to me, look, what if we put that idea in 126 rather than a separate bill. I said, fine. And it was there, it appears on page 6 and 7 of the green copy of the bill, and it says this: For a second or subsequent suspension for the same type of violation occurring within four years after the date of the first suspension, the commission, in its discretion, may order that the licensee be required to suspend sales of alcohol liquor for the designated period of time and that the licensee may not elect to pay a cash penalty. In other words, a suspension is a suspension and it can't be bought out. That was the language which the Legislature first pulled out of committee and then amended and then sent to Select File two years ago. I think it represents the policy, at least of that body at that moment. I hope we still feel the same way. I think that's a reasonable policy. The committee has reported out a committee amendment that says not for the second, but for the third offense.

PRESIDENT MAURSTAD: One minute.

SENATOR LANDIS: Not for the same offense, but only one possible offense and that's the MIP statutes. And it says: And the maximum suspension is five days or less. Those changes done in consultation with the parties that were there, seems to me, don't reflect what the Legislature said two years ago when it