

TRANSCRIPT PREPARED BY THE CLERK OF THE LEGISLATURE
Transcriber's Office

March 9, 1999

LB 126

the first place, cannot have the driver's license suspended, but at the time he or she would apply for a license then all that would come into play, but at this point he has no license. So each of them is driving, one behind the other, and both are stopped for speeding. The person in the first car had his driver's license suspended under this bill for having had the inappropriate contact with liquor, so he runs the risk of the six months in jail.

SENATOR BROMM: Correct.

SENATOR CHAMBERS: The one right behind him, who was convicted at the same time for the exact same offense, had no driver's license to be suspended so he is simply charged with driving without a license. Isn't that true?

SENATOR BROMM: That would be true.

SENATOR CHAMBERS: Thank you. Members of the Legislature, this is the point I'm trying to make about the inconsistency of these laws. And I wish people like Senator Dwite Pedersen, Senator Schellpeper and other well-meaning people, I'm conceding good faith, would understand what I, who am interested in well-crafted legislation, must do; the problems that I have to point out that seem inconsequential to others. Two people equally guilty under this bill are punished ultimately in ways that are tremendously different. The one who had the license and will subsequently drive under suspension can go to jail for six months. The other equally guilty person, who could have been older but not 21, but didn't have a driver's license, will be caught driving and will not run the risk of going to jail because or she had no license to be suspended in the first place. That's what I want to do with that. Now, to get back to what this amendment is that is pending before us, I wanted to talk about that because that's where we're ultimately going to arrive with this bill and it's a destination that I find abhorrent. Alcohol is sanctified in this society. It is legally sold. Senator Beutler hit the nail on the head and that's one of the reasons I wanted to offer an amendment to strike this from the committee amendments. There's old wise Senator Landis, who got himself cleaned up by saying he's going to vote against the committee amendments. But again, Senator