

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

February 11, 2000 LB 1004

influence the way the law is written. Define the conduct, draft a law that makes it clear the conduct is being punished, and it has to be so scrupulously written, because of the nature of the offense or offenses being dealt with, that no judge and no prosecutor can easily misapply that law based on his or her contempt for the person who is being brought to book under that law. So I still see problems with this bill. For example, I'd like to ask Senator Engel a question, then he can ask his legal staff for the answer. I want to know what federal law makes driving drunk an offense, and I want to know what federal court...a charge has been brought and prosecuted where DUI is involved? I'm not aware of anybody having been convicted in federal court of DUI; I am not aware of a U.S. attorney charging anybody with DUI. What...

SENATOR COORDSEN: Senator Engel, would you respond, please?

SENATOR ENGEL: I would love to respond. You know...

SENATOR CHAMBERS: Oh, you got the answer now?

SENATOR ENGEL: Oh, no, let me respond though.

SENATOR CHAMBERS: Oh, okay.

SENATOR ENGEL: I've heard you talking about the Irish the last two or three weeks here, and I'm half Irish, and I just spent some time in Ireland. So I'd like to answer, give you an Irish answer to your question...

SENATOR CHAMBERS: Okay.

SENATOR ENGEL: ...with another question. What is the answer?

SENATOR CHAMBERS: No, that...that...oh, that's the question you're asking me?

SENATOR ENGEL: Yeah.

SENATOR CHAMBERS: My answer, without doing research, is that there is no federal offense of DUI, and I'm acknowledging that my knowledge doesn't extend to including any federal case where