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LB 1004

don't think anybody who has worked on this bill...let me speak for myself. I have no pride of authorship. If you're going to do something like this, it ought to be done as carefully and clearly as possible. I do not think that the language of the amendment is language that I can agree with entirely. I wanted to write it in such a way that you could sort out the different elements that are in this bill by way of amendment. So I'm going to read the language to show you these four areas that will be used to hang these people up. First, instead of putting the phraseology "in the twelve years prior to the date of the current conviction.", instead of putting that at the end of every thing, I thought it would be best to just put it at the very beginning so that we know that every thing which follows relates to the prior twelve years, and you see it right away when you begin to read. So under this section, a conviction under this section for refusal to submit to a chemical blood, breath, or urine test, and the language would be the same for driving. Two, under a city or village ordinance enacted pursuant to this section as authorized by section 60-6,196, I might be reading the wrong one, a word or two of difference but, basically, this is what it is. Three, under a law of another state, if at the time of the conviction under the law of such other state, the offense for which this person was convicted would have been a violation under the law of this state, or under a city or village ordinance enacted pursuant to a law of another state, if at the time of the conviction under such village or city ordinance, the offense for which such person was convicted would have been a violation under the law of this state. What it is saying, what it intends to say is that unless the conviction when it occurred in the other state would have been a conviction under Nebraska law at that time, it cannot be used. There has to be a parallelism. What would not be a conviction under the law in this state cannot be used for purposes of enhancement. That's what this bill is designed to do, enhance a punishment. It is not to charge the person with a new or different offense. The person is on trial right now for an offense committed. This bill allows a looking back into that person's record to see if there had been other convictions for this offense. What this bill is proposing to do that is different is to say that convictions under the law of another state, a statute of another state, or an ordinance enacted in that other state pursuant to...