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takes away a privilege that you enjoy, which is to drive. This bill takes away that stay and the court can grant it only if the following things are found, and it's not one of these, but every one of them must be found before this court is allowed to say you're not going to put the revocation in effect and take this person's license. Here are the items, and every one of them: (a) The applicant is likely to prevail when the court finally finds...oh, when the court finally disposes of the matter. That's not enough. The court finds that without relief the applicant will suffer irreparable injuries. The court can find that. That's not enough. The court will find that the grant of relief to the applicant will not substantially harm other parties to the proceedings. That's not enough. And the threat to the public health, safety, or welfare relied on by the agency is not sufficiently serious to justify the agency's action in the circumstances. The court can find any one of these and that's not enough. It can find three out of four; that's not enough. It must find every one of these, and I think that is overreaching, overkill. It's a typical prosecutor's bill. For the new people on the Judiciary Committee, you've seen how they like to find every way they can to make prosecution easier. They like to create presumptions that will put a person in a set of circumstances as though he or she did something when the facts show that he or she did not, but because the prosecutors have difficulty proving their case they want the law to come along and say, you need not prove that anymore. So under the law now, if this befell you and you went through this, and it's likely that a court is going to throw the whole thing out, you file your appeal. Now all of that would be stayed. That means no action is going to be taken against you. This bill changes that. And even if it looks as though you're going to win, that doesn't mean anything. That there's no justification for the agency's action based on any threat to the public, you still don't get the thing stayed. The court is divested of the authority to look at this matter and say...

PRESIDENT HEINEMAN: One minute.

SENATOR CHAMBERS: ...that this person is likely to win, there is no threat to the public, irreparable harm will come to this person, but that fourth piece is not there, the court cannot