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FLOOR DEBATE

May 16, 2003

LB 208

SENATOR BOURNE: I understand that now.

SENATOR KRUSE: I objected to that, but that's the system, so we go with the system. This particular one is dealing with a serious repeat offender, you know, more than two convictions. And what it is saying, as I understand it, is you cannot suspend revocation. And that is in there...probably it's put in an awkward way, but it's in there because that's a federal requirement.

SENATOR BOURNE: A federal requirement...

SENATOR KRUSE: A repeat offender...

SENATOR BOURNE: A federal...

SENATOR KRUSE: ...has to have revocation.

SENATOR BOURNE: Okay. You're talking about the portion of the statute that I mentioned on 49, that the federal government requires us to say that the judge, even if he suspends a sentence, has to give a one-year minimum license revocation?

SENATOR KRUSE: Well, that's a felony conviction on that thing, and there would be prison with it. So they can suspend the prison and substitute something else, but not revocation.

SENATOR BOURNE: Okay. Again, I'm trying to get a handle on what we're...what exactly we're doing here. And quite honestly, it's not clear. And maybe that's because it's just too early in the morning, or maybe it's because we've had a number of late nights. And...but this is...to me, it's indecipherable. And again, that's not a criticism on the drafting or anything. But when you have countless references to other portions of the statute, my suggestion is, or my thought is, is that the...we have an obligation to put statutes out that are clear and understandable to the average person. And I'm having difficulties understanding this. And so it kind of makes me wonder if we're putting out a set of statutes that the average Nebraskan won't be able to understand and how they're complying.