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LB 209

offense, should that person have to pay to have his or her license reinstated?

SENATOR BOURNE: Absolutely not.

SENATOR CHAMBERS: Then would you agree with the amendment that I'm offering that would keep this language in place that currently says your license would be returned without having to repay?

SENATOR BOURNE: Well, if what you're saying is accurate, I would support your amendment. I was waiting for Senator Bromm's response to hear...

SENATOR CHAMBERS: Me too. Okay. Thank you, Senator Bromm...I mean Senator Bourne. (Laugh) That's all I will ask you. Members of the Legislature, some things in the law might require training in the law to understand. Other things do not. Everybody who has watched television is aware that a person is presumed to be innocent until proved guilty. Everybody knows that the standard for proving guilt in a criminal case is proof beyond a reasonable doubt. Everybody knows that a sentence of imprisonment is a punishment that can be imposed only after a person has been convicted of a crime. Everybody knows that a fine is a punishment that can be imposed only after a person has been convicted of a fine. Many people know that even in a civil action, where the state is not involved, you're not charged with committing a crime, but one person has sued another, that Mr. A cannot recover from Ms. B unless by a preponderance of the evidence Mr. A makes out his case that Ms. B committed an act that damaged Mr. A, and Mr. A, under the law, is entitled to recover damages. But whether civil action or criminal action, without a finding being made on the basis of the evidence against one party, the other party cannot prevail and cause that one against whom no finding was made to be punished, or made to respond in damages. The way the law would be if the language is stricken, as LB 208 proposes...LB 209 proposes to strike language on page 11, in lines 6 through 18. If that language stays in place, I believe that...

SENATOR CUDABACK: One minute.