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FLOOR DEBATE

March 11, 2005      LB 76

SENATOR BEUTLER: But I mean before this bill.

SENATOR BAKER: What, now? This bill...

SENATOR BEUTLER: Did we enact a statute before this bill that stopped or ended the STOP program?

SENATOR BAKER: No, we did not. And it would...

SENATOR BEUTLER: So they still currently have the option of doing that?

SENATOR CUDABACK: One minute.

SENATOR BAKER: Yes, we do. And that's what's under court review now. I can't tell you which court it's been filed in--district court in I don't know what county. But...

SENATOR BEUTLER: Well, then why, if that program is still being allowed statutorily, why don't we stop it statutorily, so that we're clearly in compliance with the federal law?

SENATOR BAKER: That...I'll be...I'll go on record with you right now--I would like to eliminate the STOP program in the state of Nebraska.

SENATOR BEUTLER: Well, this language here is not going to stop it, is it?

SENATOR BAKER: It will only stop it with...concerning commercial driver's licenses. It...

SENATOR BEUTLER: Well, it says, "The state must not." But how are we going to stop a county from doing it, unless we pass a state statute that says the county shall not do this?

SENATOR BAKER: Well, it simply is stating, in Section 12 of the green copy now--LB 76, for those following along--"The state must not mask, defer imposition of judgment." So a county who has a STOP program now cannot use it, by statute,...