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FLOOR DEBATE

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LB 594

in the enforcement of that. The third item is a new penalty that has been adopted by most of the states. It's a very strong suggestion, again. Looks pretty innocent. On the second or third offense, if the offender has a high BAC, .16 or above, then it will be an increased penalty. In the...in our drafting of it, we made that a felony. The committee amendment deals with this alone; changes that penalty. That's enough. There's a lot more thoughts floating in my head, but in view of the hour, and in view that we're tired, and in view that we waited a long time to get this taken care of, I will close at that point, Mr. President.

SENATOR CUDABACK: Thank you, Senator Kruse. We do have Judiciary Committee amendments, as stated by the Clerk. Chairman of the committee, Senator Bourne, you're recognized to open on AM1132.

SENATOR BOURNE: Thank you, Mr. President, members. The committee amendment to this bill changes the penalty for the offense of aggravated driving under the influence, created by the bill. The penalty classification is reduced from a Class IV felony in the green copy with a maximum sentence of five years in prison, to a Class I misdemeanor with a maximum one-year sentence, while the mandatory jail sentence is increased from 10 to 30 days. And again, I want to make clear this applies only when an individual tests at twice the legal limit, .16, and is on at least their second offense of driving under the influence within 12 years. So it reduces it from a felony to a misdemeanor, while it does increase the mandatory jail sentence from 10 to 30 days.

SENATOR CUDABACK: Thank you, Senator Bourne. You've heard the opening on the committee amendments. Open for discussion. Senator Kruse.

SENATOR KRUSE: Thank you, Mr. President and members. I support the committee amendment, but I want to make one comment about it, and that's just in relation to how we determine these penalties. It has been sheer madness going through this, as we have with these other bills, because we're not consistent on it. If you injure my body, we don't take that nearly as seriously as