

TRANSCRIPT PREPARED BY THE CLERK OF THE LEGISLATURE
Transcriber's Office
FLOOR DEBATE

April 11, 2006 LB 925

we were doing in regard to LB 925. This is a culmination of those efforts and those discussions, and I would really like you to understand, one amendment, pull it back, and deal with it in this form. One of the concerns that Senator Synowiecki brought up, on a third offense drunk driving situation, with a normal--I shouldn't say "normal"--but a .08 blood alcohol content, also on a third offense, high blood alcohol content, the concern that Senator Synowiecki raised--and not...and certainly not putting words in his mouth, because I'm sure he can speak to it--quickly, is that we have the amendment creating a 15-year license revocation, mandatory, on the low blood alcohol, and also a 15-year license revocation, flat out, on a third high blood alcohol level. What we have done, based on those discussions, is that we, on the low blood alcohol level, we've given some judicial scrutiny with this amendment to make it 2 to 15 years of a revocation. On a high blood alcohol content, we have given the judges scrutiny as well, by creating a 5- to 15-year revocation period. Now, and there's another aspect to this, too, but quickly, I want people to understand, these are still graduated penalties, and these are tough, because I've received information from individuals, from groups, and from people saying, don't back away, don't be a coward, be strong. Coward? Hey, understand what we're doing here; 500 percent incr...the amendment increases the minimum license suspension on a high BAC 500 percent, 500 percent. That's why Senator Pedersen and Synowiecki are concerned. What we've done here is we've enhanced it, if we adopt this amendment, 500 percent over the present law, 5 years from 1 year, instead of a 1,500 percent as in the committee amendment. I think that's sufficient. I believe Senator Synowiecki had a point. We are still ratcheting up penalties, and Senator Synowiecki understood that, and he also understood that there was room to negotiate on this. Second piece of this was in regard to some of the discussions that I had with Senator Pedersen. Okay? First offense, high BAC...remember, when we started all of this, my intent, and I do believe the Attorney General's Office, too, although I'm not speaking for them, our intent on a first offense is not to punish people who make mistakes. That being in mind, and that communication out on the table, Senator Pedersen discussed this not only with myself, but the Attorney General's Office. I don't know what the Attorney General's Office's discussions with