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LR 47

interlock, and that's reinstated, and the old suspension periods that were in the law are also reinstated. The amendment also amends the sections that are comparable with respect to aircraft and motorboats and commercial motor vehicles, and adds the contents of a companion bill that was in our committee and had a public hearing, LB 774, which provides that the testing that occurs to determine the blood alcohol content, if occurring within a three-hour period of being in control of the particular mode of transportation, whether it be a motor vehicle or a boat or a aircraft, that the test shall be acceptable if it is administered within three hours of when they were in the physical control of the vehicle. I have to...I have to admit that when we had the hearing and when I first encountered that suggestion I had...I had reservations about it. We took some time after the hearing, did some research looking at whether or not this particular suggestion had had some experience and had been adopted and used and so forth in other jurisdictions, and found that it had been in many jurisdictions. Might not always be three hours, might be two or it might be one, but the concept does have some...does have some history. It...it's not uncommon in a prosecution of a DUI case that if...if the defendant is willing to take the stand or make statements with respect to the fact that, well, gosh, I panicked, I left. Sometimes this arises out of an accident--I left the scene; I went home and had a couple shots. And, of course, then the test occurs after that and that...that completely jeopardizes the validity of the test under our existing law. So that...that would not be a tactic or an avenue that a defendant could take if we adopted the committee amendments to the bill. We, in the...in the hearing on LB 774, we did have...we did have some discussion about that. I know that the defense attorneys have some concerns about that three-hour period, but there seem to be pretty good support and I think there's a legal precedent and experience that says that that standard is...is, in fact, a usable one. So I would encourage discussion and adoption of the committee amendments. Thank you.

PRESIDENT MAURSTAD: Thank you, Senator Bromm. Members, before we begin debate, while the Legislature is in session and capable of transacting business, I propose to sign and do sign LR 47. For debate on the committee amendments to LB 773, Senator