

possession?

SENATOR HOAGLAND: Not if the six-pack were in the lap of the 21 year old so he was possessing it. Now if the six-pack were in the trunk of the car and the 19 year old was driving the car and it was his car, then the 19 year old would be responsible. That is right.

SENATOR SCHMIT: Is there a chance there might be a fast game of shuffle going back and forth there about the time that officer stopped that individual?

SENATOR HOAGLAND: We have the same problem under current law, Senator Schmit. Under current law, if you have got an 18 year old driving and a 19 year old in the front seat, you are going to have that same game of shuffle. Under Senator Kelly's 21-year proposal, we have got a 20 year old driver and a 21 year old in the seat with the beer, and we are going to have the same game of shuffles.

SENATOR SCHMIT: What happens if we have got a 21 year old driving and we have got the 19 year old holding the beer?

SENATOR HOAGLAND: If the 19 year old has the beer in his lap, or if he is drinking the beer, for instance, it is illegal because he can only have beer inside a licensed premises.

SENATOR SCHMIT: I asked you this question the other day relative to the responsibility of the tavern owner. Is the law specific relative to how much authority the tavern owner has over the people in his tavern, or in his establishment, and how far does that responsibility extend beyond the tavern?

SENATOR HOAGLAND: Well, now we don't have a dram shop provision in Nebraska, Senator Schmit, as I am sure you know, which means that if there is an automobile accident outside the bar nobody can sue the bar owner. However, the bar owner has all the same common law rights that any owner of property has to maintain order, to call the police in if somebody is being disruptive, and to prevent his place from being damaged, and so forth.

SENATOR SCHMIT: Are you opposed to the dram shop provision? Or are you committed to oppose it?

SENATOR HOAGLAND: Senator Schmit, I am neutral on the dram shop. I think it would be mistake to put dram shop into this bill because it is a very complicated provision