

March 4, 1980

LB 848

SPEAKER MARVEL: Okay, the motion is the adoption of the committee amendments to LB 848. All those in favor vote aye, opposed vote no. Have you all voted on the adoption of the committee amendments to LB 848? Record the vote.

CLERK: 27 ayes, 1 nay on adoption of the committee amendments.

SPEAKER MARVEL: The motion is carried. The committee amendments are adopted.

CLERK: Mr. President, Senator Johnson now has amendments pending, Mr. President.

SPEAKER MARVEL: The Chair recognizes Senator Johnson.

SENATOR JOHNSON: I have some amendments. Actually it is one simple amendment to the bill, and I am a little embarrassed because I went up to see where they were printed in the Journal so that you could turn to the appropriate pages, but they were not in the Journal, and more importantly I had distributed these amendments to the body the day the bill first came up, which, it was on the Consent Calendar, and we didn't get to the bill. So I don't quite have enough copies to pass out, but they are still being printed. We will pass out what we do have. I will quick-like tell you what it does. It is a very simple amendment. It takes...it would add a new section to LB 848. It would add the section 17. Section 17 takes the existing liquor statute, 53-180.02 and removes from that statute the ability of a local police officer to impound the motor vehicle that is being driven by a minor in possession of alcoholic liquor. Now I have brought this up a couple of times during the course of our trevails on alcohol, first with LB 221 and then again when we first took a look at LB 848. An attorney in my district wrote me in December about a client of his who was a minor and the client was operating actually his parents' automobile, and the arresting officer concluded that this particular youngster was a minor in possession of liquor and impounded the family automobile, and it was impounded for three weeks, and it was the only car the family had. And that is the way the law is. The law says simply that if there is a minor in possession of liquor, the automobile itself is to be impounded by the local arresting officer. I, frankly, cannot see any major benefit in this law. There is no reason to distinguish the minor from the nonminor, and particularly it is wrong to impound the motor

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