

removes the original language and inserts new language and it becomes the bill. Under the amendment, no person shall knowingly transport alcoholic liquor in open containers in any motor vehicles operating on a street or road unless the liquor is, number one, in the original unopened package or container on which the seal has not been broken and the cap or cork has not been removed. Number two, located in a motor vehicle but is not accessible to the operator while the motor vehicle is in motion and the third part of the committee amendment adds a penalty section to the bill which the original bill didn't have. It is a Class IV misdemeanor offense for the first time and a Class II misdemeanor for any offenses after that. And so I will now let Senator Sieck go ahead with his amendment to the committee amendment.

SPEAKER NICHOL: All right, Senator Sieck, now your amendment to the amendment.

SENATOR SIECK: Yes, Mr. President and members of the body, it is a very simple amendment. On line 3 on the new bill, Section 1, no person shall knowingly possess or transport. Now what I am doing, I am adding the new language "possess or". That is all. That is what the amendment says. Now the reason for this amendment is that the way this...the amendments state now, the only one that can be arrested in that car if he is caught with an open container is the driver. And you will find many times that the people in the back seat are having open containers in their hands or with them in the back seat. With the amendments they cannot be arrested. With "possess or" they can be arrested. And we all know that it is illegal to drink on the highways. We know that. It is right in the law and I give that to each and everyone of you here so you can review it. There is...it is presently not legal to drink on the public highway. But they are drinking and the highway patrol can do nothing about it because they have to catch them drinking. So that is the reason I want my open container bill so that they cannot get by without being caught and we want to take the liquor off the highways, the alcohol. So let's do it and let's make it strong enough so that we can have some clout and by putting the word "possess or" will give us some clout that we can do this. Thank you.

SPEAKER NICHOL: Any discussion on the Sieck amendment to the amendment? Senator Higgins, please.