

Senator Labeledz asked Senator Hoagland, if there is bottle of whiskey or alcohol in the back seat of the car that is opened, is the driver subject to arrest? And Senator Hoagland says if it is not accessible to the driver. And then Senator Labeledz went on and pushed a little further and Senator Hoagland said, well, if it is clear over in the corner and not accessible to the driver. So let's assume that we put that bottle in the back seat, in the corner, the right-hand corner, and we turn a sharp left-hand corner and the bottle rolls over into the middle of the back seat. It then becomes accessible. Therefore, Senator Labeledz, you are going to get it because that bottle is accessible because it has moved out of that corner. Now I would like to have somebody go to a court of law and prove what is accessibility. You could reach over the back seat of the car and grab a lot of things from the front seat to the back seat. When you get into a court of law on this bill the defense attorney is going to just turn it into a quagmire that it is going to be so confusing at what is accessible. Now Senator Labeledz asked if I am on a bus and we are going down the highway and I am sitting...and the cooler is in the back of the bus, can...and I am drinking a Coke, can I be arrested? And Senator Hoagland says, no, because the cooler is in the back of the bus. Well, what if somebody is sitting behind the driver with a drink in his hand, or a beer in his hand? That is accessible to the driver. All he has to do is just turn around and say, hey, Mike, give me a little sip. It is accessible to the driver. How are you going to say it isn't accessible to the driver? So this is just a bad bill because of the way it is written, the way you are going to try to defend it, the way you are going to prosecute it and it is just going to cause nothing but problems down the road and we are going to get criticized more and more for passing legislation like this, so I ask you not to advance LB 598. Thank you, Mr. President.

SPEAKER NICHOL: Senator Higgins is next, but may I introduce some guests, please, of Senator Barrett under the south balcony, three foreign exchange students, Bruno Desgurse, Valerie Dewanckel from France and Christophe Briquet. They are the exchange brother of Page, Steph Crandall, from Geneva, Switzerland. Would you please stand and be recognized. How is my French? Not as good as some others I know, but we are glad to have you folks. Senator Higgins, please.