

on that.

SPEAKER BAACK: Senator Kristensen, you're next.

SENATOR KRISTENSEN: Thank you. Real briefly, I want to rebut a little of what Senator Lindsay keeps talking about, what about my rights, what about my rights, what about my rights. Everything that is in amendment 3915 is within the rights and is protecting the rights, does not tread on any of those rights. Senator Lindsay does not have a right to a jury trial before his license is administratively taken. He does not have a right to beyond a reasonable, because those rights have never, ever, never, ever been given by any court in this area. And if he can show me a case, or federal law, or the Bill of Rights where it gives him those rights, I will stand corrected. But they are simply not there. Now I appreciate and understand the emotion that maybe there should be those rights. But until you make driving a fundamental right and not a privilege, those rights do not attach. It has been proven in several cases throughout the country that you do not have those rights constitutionally. In fact this bill probably provides more protection than what the federal law envisioned to do. Federal law doesn't envision that you have the opportunity to question the probable cause for the stop, for the test, and all those things. We've given those little added indicia of due process or some sense of fairness. So I...what Senator Lindsay will tell you he will tell you with great emotion. But understand that he is not correct in those areas. You do not have those rights. If you want those rights, I suggest you pass a statute that says driving in the State of Nebraska is a right, and you are entitled to it, due process attaches, and then we go ahead and do these things. That's the policy choice. And I think Senator Lindsay properly phrases the policy choice. If you don't want to do that, then you can go back to our original system of justice, and our original system of justice has broken down in those areas. I'm a pretty big defender of the status quo and a pretty big defender of the system. In this area it doesn't work very well. With that, I would just simply urge the adoption of the amendment and would answer any other questions. Thank you.

SPEAKER BAACK: Thank you, Senator Kristensen. Senator Lindsay. Oh, excuse me, Mr. Clerk, we have an amendment to the amendment.

CLERK: Mr. President, I do. May I read some items?