

SENATOR CHAMBERS: I'll accept that explanation.

SPEAKER BAACK: Before we proceed, we do have amendments to the committee amendments. Before we proceed with those, I...while the Legislature is in session and capable of transacting business, I propose to sign and do sign LB 858, LB 859, LB 860, LB 861, LB 862, LB 863, LB 864, LB 865, LB 866, LB 867, and LB 868. Senator Hall, your light is on next.

SENATOR HALL: (Reply inaudible.)

SPEAKER BAACK: Okay, Senator Hall has yielded his five minutes to Senator Kristensen. Senator Kristensen, do you wish to continue?

SENATOR KRISTENSEN: Yes, thank you, Senator Hall, I appreciate the time to explain this. I've had a couple of questions. There's going to be a number of things, you're going to have a lot of committee amendments that are going to be coming up, amendments to the committee amendments. And I want to make sure that you know what you're discussing, particularly in the policy area of where does the drunk driving laws apply to. I think the essential feature, at least from my intent and purpose, is the public use feature. It's not that it's confined to certain privileged individuals, but it's gauged by some criteria, is it open for public access, or is it open for the public use? So it isn't the unrestricted quality of potential users, it's more what can be used. For example, if I'm in an accident and I drive up on the sidewalk, and the police show up, and the car is setting on the sidewalk, that sidewalk is open for public use, it may be private property of the owner, but because you've got a sidewalk there that's open for the public use. The driveway at the Westroads...or the parking lot at the Westroads, driveways in apartment complexes, you're just as much at risk to do that. The purposes are that pedestrians and other people are just as vulnerable to an intoxicated driver in the parking lot as they are out on the road. The other policy is why do you have to let them get out on the road, if you've got an obviously intoxicated person that's in a driveway or in a parking lot, why do you have to let them get out on the road before you can pull them over and let the danger occur? The key for me is accessibility to those private areas. The minors, Senator Chambers asked me specifically, and the minor, Senator Chambers, I would point to you, look at page 22 of the committee