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SENATOR BROMM: Thank you, Senator Schellpeper. There is no provision or definition that I know of with respect to "possess". We have had, through the years, many cases in this case regarding possession by a minor. And the courts have attempted to apply that as best they can, based on the circumstantial evidence and the circumstances in the car that they find the passengers and the alcohol and the position and so forth. No, there is no iron-clad definition of "possess".

SENATOR SCHELLPEPER: We have a bill that we discussed a couple of weeks ago, LB 126, that dealt with minors. And there is a possession in that bill, and we were trying to define what is meant by "possess", like within arms reach. Is that something that has to be in this bill, you think, to help it?

SENATOR BROMM: Well, I don't think it has to be, no. If...if...if there is a suggestion that is helpful in defining that, I certainly am willing to look at that. But, I think the courts have dealt with that, without more specific definitions in the past.

SENATOR SCHELLPEPER: Who would.... Say, if I was in the back seat and an individual in the front seat, there would be some beer in there, open cont...well, not beer, but an open container. Who is liable, the one in the front, the one in the back?

SENATOR BROMM: Well,...

SENATOR SCHELLPEPER: Or everybody in the vehicle?

SENATOR BROMM: No, it would be whoever is determined, by initially the arresting officer, by the facts that they are able to illicit from the...from the questioning and observation of the passengers, and then ultimately the courts' determination on who's in possession.

SENATOR SCHELLPEPER: Okay. Another question, on football Saturday's at the university, where we park there's a lot of these tailgate parties. How is that going to affect those? Because there is vehicle after vehicle that has their tailgate