

January 29, 1980

LB 221

SPEAKER MARVEL: Senator DeCamp, Senator Schmit is asking you a question about your amendment.

SENATOR SCHMIT: Does that amendment completely strike the Dworak-Hoagland amendment?

SENATOR DeCAMP: Yes.

SENATOR SCHMIT: Okay, Senator Hoagland, would you answer a question, please, relative to your amendment, if I could ask you, please?

SENATOR HOAGLAND: I will certainly try, Senator Schmit.

SENATOR SCHMIT: Okay, at the present time if your amendment became a part of the law, then a person 19 and 20...two persons 19 and 20 could drink in a public place. Right?

SENATOR HOAGLAND: Under our amendment, Senator Schmit, persons 19 and 20 could drink in any licensed establishment, whether that is a steak house, a dinner club, a country club, a bar...any place with a license.

SENATOR SCHMIT: Okay, then can they drink in their private apartment? For example, my daughters, again, who live here in Lincoln, can they drink in their apartment?

SENATOR HOAGLAND: Now under present law, any minor can drink liquor inside his or her permanent place of residence. That is present law right now. In other words, it is not illegal for a minor to possess alcohol inside the permanent place of residence.

SENATOR SCHMIT: But you do not change that under the...with this law.

SENATOR HOAGLAND: No, sir, we don't change that at all.

SENATOR SCHMIT: What would happen if a 19 and a 20 and a 21 year old were drinking together, the 19 year old owns an automobile and the 21 year old decided to take a six-pack home with the three of them and they happened to be stopped? What would happen? Would the 19 year old be guilty of minor in possession?

SENATOR HOAGLAND: Now it would depend on who was possessing the alcohol at the time they were stopped.

SENATOR SCHMIT: But if they were in the...if the automobile belonged to the 19 year old, isn't that considered to be