

skill to operate the sailboat than the motorboat. So those are my arguments and I move for the adoption of the committee amendment but I'm sure there will be a little bit of discussion.

SPEAKER BARRETT: And there is discussion. Senator Conway.

SENATOR CONWAY: Mr. Speaker and members, I rise in opposition to the committee amendment. It appears to be one of those amendments that they felt they had to do something and they couldn't find much of anything to do so they stuck the word "sailboat" in the middle of it. This bill I think maybe at this point will probably lead into really the discussion on the bill in terms of my opposition to the amendment. The real intent of this particular piece of legislation was to address itself towards the rather dangerous potential of people that are out on our waterways under the influence of alcohol who are engaged in a vehicle that is powered in such a way that it's really a concern for the endangering of other people. I don't think that by virtue of the nature of the recreational fashion of boating that people who are sitting out in a rowboat or without the motor engaged to be fishing and drifting along on a waterway that's happened to have one or two beers in the course of an hour and would not test out while operating a motor vehicle and this is patterned after motor vehicle legislation by virtue of the testing and the standards and the like. But that person is not endangering anyone but himself, at best. In many cases, most of us may have engaged in that particular practice before and we didn't even feel we were endangering ourselves. If you look at the definition of motorboat, as it's defined in our current statutes, it does include sailboats if, in fact, that sailboat is equipped with any other form of mechanical propulsion device. So you would pick up the sailboat, as we know it, for those who actually put it under power and are in that particular capacity. Without it defined, you very easily could have an inner tube and a stick and a flag hanging on it and have some overzealous law enforcement officer deeming it to be a sail craft when, in fact, that person is probably not endangering anyone other than himself, at best. And so I think that it's not really needed. What we're dealing with here is really focusing on the person who is out there ramrodding around in our waterways who is creating that kind of difficulty and endangering other people and that was really the intent of the legislation. So I think that...I don't think that "sailboat" adds anything. I don't think that it's of particular value but does open up the door for the potential of people offering