

a boat under the influence of drugs and the provisions are the same as we have for DWI. So I would urge you to support this bill.

SPEAKER BARRETT: Thank you. Senator Elmer, followed by Senators Wesely and Hannibal.

SENATOR ELMER: Thank you, Mr. President, and members, my legislative district contains more major lakes than any other district in the state. And I have had the opportunity to be present at recreational activities at several of those lakes at various times. Sometimes I have observed, during water skiing and various related activities, behavior that is very inconsistent with safety, mostly contributed to by the consumption of alcohol by the operators of those crafts. I would strongly support this legislation and I would hope the Game and Parks would be able to, through their wardens, enforce it rigorously. I would invite your support to advancing this to Select File.

SPEAKER BARRETT: Thank you, sir. Senator Wesely.

SENATOR WSELY: Mr. Speaker and members, a couple things in LB 195. First off, it is already illegal to operate, if you look at the stricken language, operate motorboat vessel, etcetera, under the influence of narcotic drug or marijuana or whatever, so I guess evidently that isn't working and we need a more comprehensive approach to this problem. Sounds like another bill we discussed earlier this morning. But what I was wondering is, Senator Conway, having been on the Transportation Committee with Senator Lamb and maybe Senator Lamb can answer this too, I have seen time and again when you get into any sort of DWI legislation you have got hoops to jump through and court actions that have limited what we can and can't do and if there is not a "t" crossed or an "i" dotted in this bill, somebody will find a way to get out of it. And I assume you have taken currently acceptable statutes that are over in other sections and brought them under this. And if you have done that, probably everything should be fine. But I'm just wanting to be sure that that's what's happened and you've checked out the legal questions because we have had to go through so many changes in our DWI statutes that were based on different court actions that I wouldn't want you to pass the bill and have all of this come back once again. Is that the case?