

while intoxicated laws, maybe that is appropriate, but it clearly is more than just a simple little bill. It is a clear public policy issue and a shift over into the private property areas that folks like Senator Lamb I think would be very protective of in other areas of law enforcement. And so with that, clearly know that this is not just limited to parking lots of large shopping centers on West Dodge Street. Thank you, Mr. President.

SPEAKER BARRETT: Thank you. Senator Abboud, followed by Senator Hannibal.

SENATOR ABBOUD: Mr. President, and colleagues, this bill was brought on behalf of the City of Omaha in response to a couple of Nebraska Supreme Court cases. In 1986, the Nebraska Supreme Court, in State v. Golgert, stated that drunk driving is only an offense if it is done on a public highway. Now a little bit earlier, in an earlier decision by the Nebraska Supreme Court, in State v. Carroll, it stated that drunk driving is an offense on private property as well as on the public highways. So there has been some inconsistency as far as when drunk driving laws apply and when they shouldn't apply, and I think clearly the Legislature, in looking to its drunk driving statutes, provided that when an individual is driving an automobile, and while he is driving that automobile, he has a chance of killing someone or injuring someone or maiming someone as a result of their driving ability, the state discourages that type of action. What this particular bill does is clarify the Nebraska statutes in dealing with these types of offenses. The particular committee amendments that we have been discussing are a view of not wanting to intrude on, I suppose as Senator Hall stated, someone's personal right to drive drunk on their private property in comparison to the danger of injuring someone while they drive in public in a road that has public access, and that is where the distinction is. So for purposes of establishing a record here, if, for example, as in the case that could have occurred to me, I lived in an apartment complex, Applewood, up until a little less than a year ago, and in that apartment complex, we had a bar, and it was rather a large complex, and someone could drive from the bar drunk or recklessly endangering other people's lives and not have any fear of being ticketed for that action since it was on private property. But, clearly, there was public access there. There were thousands of people that lived in that apartment complex, or hundreds of people, and that was really the idea behind it, or someone is driving in a