

rightful reason to drive. Driving is not a privilege, but they have a rightful reason to drive and they have a reason why they have a right to drive and they have not been flagrant in their abuse of the privilege, and any reasonable examination, they will not object to. But it should not be an arbitrary and capricious decision by an individual who works for the State of Nebraska, and I get completely bent out of shape frequently because individuals who are our hired people, they are our hired men and women, consistently come back to me and say, well that isn't what the law says, when I sometimes wrote the law, I wrote the statute. And I'm getting tired of it and I'm getting aggravated and I'm going to be more so as time goes by because there isn't any reason why one individual can arbitrarily decide that a group of people no longer can drive and...

SPEAKER BARRETT: One minute.

SENATOR SCHMIT: ...get away with it and I don't think any of us should allow it to happen. Senator Landis, any reasonable requirements, I will agree to, they will agree to, and you are right to ask for it and you are always a fair person and an understanding person. But the capricious denial of the license should not be allowed by this Legislature. Thank you.

SPEAKER BARRETT: Thank you. Senator Lynch.

SENATOR LYNCH: Mr. President, members, I called the question twice, you wouldn't listen to me so now you are stuck, I'm going to say something. First of all, I'd like to mention that fair and honorable and well-spoken Senator Landis missed the mark when he referred to what he thought Senator Withem meant. I haven't talked to Senator Withem about this but, as I understood Senator Withem, he mentioned simply a category of people in the context that these are the group of people that a bureaucrat with a stroke of a pen decided was no longer going to drive. And probably that bureaucrat used the general counsel in his own department because they all have lawyers, some coming out of their ears, to give them advice on whether to do this or not. So I don't think anything about grandfather was mentioned, or mother, for that matter. And so that is not in question at all. What concerns me about this is why pick on these people? These people are willing to take a test and probably have the ability to drive qualified by when they drive, daytime or nighttime, but we're not talking about other people who are not even considered at all. And I don't want to suggest we do that