

is where they should be. So with those remarks, Mr. President, I ask for the support of LB 799. Thank you.

SPEAKER BARRETT: Thank you. Senator Warner.

SENATOR WARNER: Mr. President, members of the Legislature, I would rise to support the amendment as well, and the bill, as it will be amended. We tend to forget from time to time when we have these kinds of pieces of legislation, it will be said, I suspect, a number of time that the driving is a privilege, it is not a right. We tend to forget from time to time that if you are stopped for possible DWI, you had a choice. You didn't have to drink before you got in the car. You certainly are not being put in any one...in any kind of a jeopardized position legally or in any other fashion that they didn't put themselves in. It is just that simple and we all know it. If there is to be an error, let the error be on the side of the people who are innocent and may be injured or killed. That is where the error ought to be on their side, not on the side of the person who chose voluntarily to become intoxicated to the point where they impaired their driving skill. We all know very well that the current system varies from judicial district to judicial area. In some cases it is severe, in other cases it is imposed in a much lighter fashion, but there is no question what direction the public wants this public policy to go, not only in Nebraska, but nationwide. And they do not want people who are impaired through the consumption of alcohol to be on the roads, it is that simple. And I would urge that we not become overly concerned with what normally one would argue are some rights that the drunken driver should have preserved, but never forget that they impose that upon themselves. It is their choice. Let's protect those innocent people, even if it means some slight lack of justice for someone who chose to drink. Let's protect the rest of the people from that person's indiscretions, and not be too concerned, because the minute we set up a system that takes care of everyone of those possible few instances where someone may be unjustly accused, we all know we have opened the door for a whole series of others to get by, get out, get around the restriction because of a potential loophole that was put in because someone thought there might be an injustice. It is simple to avoid arrest for this case, very simple, and I would urge the body to adopt the amendment.

SPEAKER BARRETT: Thank you. An amendment on the desk, Mr. Clerk.