

SENATOR WARNER: Senator Abboud.

SENATOR ABOUD: Yes, Mr. President, colleagues. I...drunk driving bills are always interesting to me. I've carried my share of drunk driving bills. In years past, when the bills used to go through Judiciary Committee the City of Omaha always used to bring me bills to carry. One dealt with the testing for an individual driving on the highway while...while using some substance other than alcohol, so that they could test individuals that were driving that had...had taken in...ingested marijuana, or cocaine, or some sort of drug and had a test done. And that bill advanced out of the committee. And, at that particular time, the Nebraska Supreme Court struck down the use of a breathalyzer. And so we agreed that while that was important to be tested for drugs, the use of the breathalyzer for testing for drunk driving was much more significant. And so we gutted that bill, reinstated the use of the breathalyzer. It was special ordered by Speaker Barrett at the time, and we passed the bill. Another bill that I carried dealt with the use of...or the testing of drunk driving while an individual was driving on a road, in this instance let's say an apartment complex, a shopping center, not a public highway, but still driving on a road, and that bill advanced. It was, let's see, about three years ago, advanced out of committee. We fought it hard on the floor. It got tagged with an amendment by Senator Hall, and, at that time, we realized we did not have the votes. I felt very strongly about that because of...if someone is driving in an apartment complex, or driving in a shopping center, like Oak Creek Mall, or Westroads, or Crossroads, and that individual hits another individual's car, or injures an individual pedestrian, I felt that that person should be prosecuted. I felt very strongly about that. In recent years, the last couple of years there's been...all of the drunk driving bills have been transferred over to Transportation Committee. Last year the bills were pretty much bottled up, and finally they came out with some rather significant legislation in the form of LB 291. And the section that talks about highways and prosecution for DUI (sic) while driving in a shopping center is included under Section 5 of the committee amendment, which is a part of the bill. In addition to that, there's a lot of really good legislation that is in this bill. It's kind of a conglomeration of a lot of different ideas, the 2 percent for minors, as well as increasing some of the penalties that I felt were...needed to be increased. It's my concern, though, that, in fighting these battles, that sometimes it's tough to get