

and refresh your memory about where we're at. LB 291 is Senator Beyer's bill that brought to us changes in the drunk driving laws in the State of Nebraska. On General File we had extensive debate about the committee amendments. The committee amendments offered ten changes after a year long study that we had or at least through the summer an interim period of time. Those ten changes had many things in them. Two of the more controversial points were the zero tolerance for minors that said that minors couldn't drive with any alcohol on their breath and a presumption that if you were given a test within 90 minutes of your arrest that that would be presumed to be the test that could be admitted into evidence with a rebuttable presumption. There was a considerable discussion about those two points. I think those two received the most amount of debate on General File. Senator Baack, if you will remember, filed an amendment that the majority of the Legislature supported at that point in time that added a fourth offense, made some changes in the penalties and made some changes in the administrative license revocation, commonly called ALR. The body saw fit to adopt that amendment to the committee amendments. The bill moved over to Select File. At that point in time there were some problems with the way the amendment was drafted. It isn't a functioning, workable amendment and I told the body I'd be back with a cleanup amendment to make sure that it would work. In the interim Senator Beyer, myself and Senator Baack got together to see if there was some way that we could work out to at least everyone's satisfaction to put the bill in a workable shape. That is AM3901. Senator Baack, I think, he had his amendment, we thought he did, was going to agree to this amendment to allow it to be substituted. It does the following things. It takes out the zero tolerance. It takes out the presumption of 90 minutes and it does take out the administrative license revocation procedures, wipes that completely out. What is left? What's left is Senator Baack's amendment that did take and add a fourth offense. It allows for the increased penalties that we had earlier. It allows for the motor vehicle homicide statutes that said you can't get your license revoked while you're in prison, you have to wait till you're out before the license start. It does the other points about the chemical tests, who can draw the blood that there was some problems. It also talks about making drunk driving apply to places that were quasi private property, not open to the public. Those are all debates that we had in the past. What it really amounts to is that 3901 takes out the controversial points including ALR and gives us something at a minimum that I think this Legislature needs to