

the bill. The provisions that he suggested, for example, on motor vehicle, excuse me, unauthorized use of a motor vehicle, even if, which it's not, but even if that was unconstitutional, it's not enough to bring down the bill because he knows the law of severability and that's certainly severable. It's not something that brought on everybody voting for it was that one provision. I think that's pretty clear. But I disagree with him. I don't think that is correct. I think that the provisions are not...do not fall within the area that he's talking about. I think that you might be able to come up with certain fact situations which would fall into both, but I think you can do that in other areas of law. So I think that those referring to the positive time, the number of lawsuits, I don't believe that that's going to spark a huge number of lawsuits. As I mentioned earlier, I don't think...I mean I think it will spark some but I think like others there's going to be some general parameters set by those lawsuits and then from there I think while some of them will be done on a piece by...or a case-by-case basis, some of those can be done I think in the same, similar to a disciplinary proceeding that are not subject to judicial review. It is, as Senator Beutler mentioned earlier in the day, a liberty interest, not a constitutional right so it does not require as high a level of state interest in order to do any types of restrictions. With that, I was hoping to discuss a little bit more of the bill, and as long as we're dealing on brackets and other motions that will come, if there are questions about the bill, I'd be happy to try to answer them; but I would urge that you vote no on the bracket.

PRESIDENT ROBAK: Thank you, Senator Lindsay. Senator Beutler.

SENATOR BEUTLER: Senator Lindsay, let me ask you a question if I may. Do you intend to invoke the cloture rule this evening?

PRESIDENT ROBAK: Senator Lindsay.

SENATOR LINDSAY: I...in all likelihood, yes; then, of course, if the votes are there.

SENATOR BEUTLER: Okay. Madam President and members of the Legislature, in that case, I'm going to vote for the bracket motion. I will not vote for cloture and I will not have anything to do with this bill. I think it's a great embarrassment to the Legislature that we have not afforded ourselves the opportunities to make reasonable changes to this