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LB 388, 562

you. The restaurant would be required to securely reseal the bottle in a bag that's designed to be visibly apparent. It's a clear plastic bag with a seal across the top, and if you break that seal, you cannot reseal. It's not like a zip-top bag. It is a glued adhesive surface that is torn and you can tell when that bag is opened. There are at least 30 other states that allow people to take home wine left in the bottle. And AM2447 also creates a similar exemption for a bottle of wine purchased at a farm winery, such as the James Arthur Vineyard, where they sell food--sausage, bread, salmon, cheese, and other food items. And rather than leave the wine half-full, they'd like their patrons to be able to take them home. Senator Janssen had asked me earlier...and, Senator, I'm going to have to let you know that I misspoke. You asked if there was any change to this bill, and I misspoke. And I want to do this publicly and on the floor. This...the original bill did not contain this language, but it was suggested to me by the Department of Highway Safety and my legal counsel...or the legal counsel for General Affairs made a couple of changes. And it says those individuals that take home a resealed bottle of wine are required to place the bottle in their trunk. That wasn't in the original version. If there's no trunk in the vehicle, the area behind the last upright seat of the motor vehicle is the area not normally occupied by the driver or passenger. And we believe this change removes any potential complications with the federal open containers law. I also just received notice last week additionally that the Department of Highway Safety has an amendment. This amendment was found to enable Nebraska to maintain compliance with the federal open container requirements. LB 388 was heard by the General Affairs Committee, but for the Department of Highway Safety provisions, and was reported out 7-0. It's supported by the Nebraska Restaurant Association, Nebraska Licensed Beverage Association, Nebraska Winery and Grape Growers. Mothers Against Drunk Driving and the Nebraska Liquor Control Commission came in, in a neutral capacity. There was no opposition to the bill. Mr. President, that concludes my remarks. Thank you.

SENATOR CUDABACK: Thank you, Senator Mines. You've heard the opening on AM2447 by Senator Mines. Open for discussion. Senator Janssen, followed by Senator Chambers.