

but there are individuals within every agency who have priorities. It should be the responsibility of the legislative body in this area as it is in many other areas. Only yesterday we delineated authority, we delineated the responsibility in another bill. We are doing the same thing here. We're saying do this first, then if you have available resources, manpower, money use them in the other manner. But don't be out chopping marijuana if you've got a heroin pusher in the bush. It makes common sense? That's right, but we're going to put it in the statute and that is where it ought to be. There is no penalty there. If they choose not to follow it then it would come back to this Legislature and we take another look at it. The Judiciary Committee will be watching closely, I'm sure, during the rest of this interim period that is coming up, to be sure that they do operate that way. I have told the Patrol time, and time, and time again "You tell us what you need in the area of resources and we will try to ...then it is our responsibility. If we choose not to appropriate the funds, if we choose not to provide the manpower, if we choose not to provide the necessary equipment that you request to do the job, then it is our responsibility, but if you don't ask us for it, if you try to do it with less than what you believe is necessary, then it is your responsibility". In this case we have said we're going to do it this way. Take the most important, most damaging drugs first and concentrate in that area. Then spend your time on the less damaging drugs. Senator Chambers touched briefly on the fund that is in another section. I recognize there is some discussion that is relevant to how that may be used and used most wisely. I would hope that we do not tamper too seriously with it because the Patrol must have some latitude in the area of utilization of this fund that we have established, it has done more, I believe, to stamp out traffic in drugs than any other one thing we've done. I would hope that we would not demand the strict accountability that we would like to see from other agencies and the spending of money for the very simple reason that a narcotics officer and an undercover officer is not going to get a receipt from a pusher of drugs when he makes a buy. He's not going to have that kind of resource available to him. The other areas of how they spend their money is no problem, but in the area of buy money, which is the principle responsibility of the fund, we have to give the Patrol some discretion. The auditing that they have gone through has produced a desirable report. There has been no problem in that area. They are completely clean and exonerated in the handling of that kind of money. I would hope that we'd not get into that. I would hope that you would pass this amendment and give the direction to the Patrol that I and the members of the Committee feel, many of the members of this body feel is necessary so that we can be as effective as possible in stamping out the traffic in hard drugs.

PRESIDENT: Senator Stoney.

SENATOR STONEY: Mr. President, members of the Legislature. Maybe I'm rather dense. But if you'll just take a couple of minutes and read with me on page 77, Section 92, we are creating, in the Nebraska State Patrol, a Division of Drug Control. Alright, fine. It goes on to explain what their duties and functions will be. All Senator Schmit is saying in his amendment, and he says that the Legislature is providing guidance, that we need this mandate to help them develop such a program, we're not doing a thing. All this amendment says is, and it