

lessen the seriousness of driving while intoxicated?

SENATOR NICHOL: No. I would like to make this very clear right here, Senator Rumery, and thank you for asking. I was going to cover it later in the bill but this does not go any further than intoxication, itself. If a person is intoxicated and does anything else, for example, drive a car while intoxicated, that is a different ball game. This law does not apply. They are responsible for whatever they do beyond being intoxicated at the time. If they rob a bank, they are on their own. This law does not protect them one bit. If they assault somebody, they are on their own. This bill does not protect them. This only goes as far as being intoxicated in public and no further.

SENATOR RUMERY: Thank you.

PRESIDENT: Senator George.

SENATOR GEORGE: Thank you, Mr. President, one question of Senator Nichol. Senator Nichol, under your bill can a person still be arrested by a police officer or a sheriff for just being intoxicated?

SENATOR NICHOL: No. That is correct. They cannot be arrested and charged for intoxication only. Anything beyond that, yes, they can but, however, as I explained in the first amendment, it does give an officer permission to take them into custody, not to charge them, but to take them into custody so that they can protect themselves or the public if they are in a dangerous position.

SENATOR GEORGE: All right. What I wanted to know, is any law enforcement officer can still take that person into custody and take them off the street?

SENATOR NICHOL: That is correct. They can still take them into custody.

SENATOR GEORGE: Okay, thank you.

PRESIDENT: There is a Call for the previous question. Do I see five seconds? I do. The question is, shall debate now cease? Have you voted? Record.

CLERK: 20 ayes, 3 nays to cease debate, Mr. President.

PRESIDENT: Senator Lamb. Senator Mills. All right, do you want to close, Senator Nichol.

SENATOR NICHOL: On the amendments, I would move for adoption of the amendments.

PRESIDENT: Record your vote.

CLERK: 26 ayes, 0 nays on the adoption of the committee amendments, Mr. President.

SENATOR SAVAGE PRESIDING

SENATOR SAVAGE: The committee amendments are adopted. Senator Nichol.