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FLOOR DEBATE

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effect of those two changes? When you read the statute with regard to those persons who are prohibited from inducing others to inhale these kinds of substances, you will notice in here that when you read the statute, the first twelve lines or so, it describes specifically, and with clear intent, all of those types of substances which you would prohibit one from inducing another to take. And there's no objection to that process. In fact, if you flip back to LB 500, which is a couple down the line from where we are, you will see that with regard to controlled substances when Senator Erdman was changing his bills, there are, you know, about 15 pages of explicitly designated substances that are a violation of the law. And the reason that we specifically identify the substances is so that a person, if he can read these big, long medical names anyway, so that a person at least has a chance of knowing that he is taking an illegal substance or that he is inducing another to take an illegal substance. It gives every...puts everybody on notice that this thing is illegal, specifically. But the statute also has a trailer provision that says or any other substance. Any other substance, very vague, I would suggest unconstitutionally vague and probably unusable by a prosecutor. And it is that language, because this is a criminal statute, that we would propose to eliminate. Now the law further says that if you're trying to entice a person to take these substances, it's against the law if you're doing it for the purpose of inducing a condition of intoxication, stupefaction, depression, giddiness, paralysis, inebriation, excitement, or irrational basis, and then it goes on to say, or in any manner changing, distorting or disturbing the auditory, visual, mental or nervous processes. And in that purpose section of the provision, we are eliminating the word "changing" because that also is extremely broad. For example, you would argue, under this very broad language, that alcohol, cigarettes, and caffeine are all other substances, and that all of them certainly change one or more of your...either your auditory, visual, mental or nervous processes, and so arguably under this statute one could be prosecuted for inducing another to smoke a cigarette or have a cup of coffee or to have a beer except, except in another statute alcoholic liquors specifically are exempted. So I guess at least the liquor industry recognized that, yes, indeed, they did fit under that statute without explicit language exempting them. But it seemed