

April 1, 1981

LB 129

amendment. So what you are saying is we have to vote on whether or not we are going to vote for the introducer of the bill to be able to use an amendment to his original bill and actually it is a new bill. It is not an amendment. It is another bill.

SPEAKER MARVEL: Senator Nichol, can you move the adoption of the committee amendments?

SENATOR NICHOL: Yes, Mr. Chairman, I would move the adoption of the committee amendments, and I would just say this that, yes, we did have a hearing, and, yes, it was Senator Cullan's original intent to have the hearing on the basis of what the bill said originally. I don't think, as Senator Higgins has suggested, that he had this in mind all of the time but I do move for the committee amendments and then we can go from there.

SPEAKER MARVEL: The motion first of all is the adoption of the committee amendments as explained by Senator Nichol. Senator Cullan, do you wish to respond to that motion?

SENATOR CULLAN: Yes, Mr. President, members of the Legislature, I think I do wish to respond. I guess I am a little surprised at Senator Higgins who evidently as of late has become some kind of a mind reader, and Senator Higgins has made some charges today that my intent here has always been to raise the alcohol taxes and that I had no intent to decriminalize or to reinstate intoxication as a crime. It is too bad that our mind reader hasn't done a little bit more research in this regard. If our mind reader had done a little bit more research in this regard, she would have discovered that I have consistently opposed the decriminalization of public intoxication. I voted against the bill that did that. I introduced a bill the very next year to reinstate intoxication as a crime and I introduced this bill for the purpose of reinstating intoxication as a crime. Now when it became clear that the Judiciary Committee would not adopt that concept, when it became clear that instead they chose to put a version to the floor that Senator Higgins had introduced, a bill that would allow individuals on quasi public property to be taken into custody, then I saw that LB 129 could serve as a vehicle to solve many of the same problems that had been caused to a large extent by decriminalization of public intoxication. Now some of you may or may not know but about \$600,000 in federal funds are going to be lost very shortly for alcohol treatment facilities and that doesn't bother me because I would just as soon fund those things from the state level but some existing alcohol treatment facilities in the State of Nebraska are