

May 12, 1981

LB 118

SENATOR CLARK: Senator Higgins.

SENATOR HIGGINS: Mr. Chairman, we just voted on LB 129, and as everybody here will recall, that bill as originally written was to decriminalize public drunkenness, and we had a vote to send it back to committee because it came out of committee completely gutted and instead of being a bill to decriminalize public drunkenness, it became the bill that we just advanced, putting a tax on alcohol. Therefore, I have to say with Senator Dworak, even though the vote that day lost to send that bill back to committee, a couple of days later the Speaker did decide that taxing alcohol was not germane to making drunkenness a crime, and it was sent back to the Judiciary Committee. So I have to think Senator Dworak has a point here on this particular amendment. It has not had a public hearing. I couldn't vote for that amendment without it having a public hearing or I would be a hypocrite.

SENATOR CLARK: It would be your privilege to ask to have it sent back if you would like.

SENATOR HIGGINS: Only because I believe in it. Only because I believe it is the rules that is right that the public have a hearing on something that they have never had a public hearing on.

SENATOR CLARK: It is the prerogative of any Senator to ask to have a committee sent back to hearing, but it has to be voted on to be sent back.

SENATOR HIGGINS: Well, I did that once and lost, so I will let a stronger Senator than me do it.

SENATOR CLARK: Senator Kahle.

SENATOR KAHLE: Well, Mr. President, I think we are making a mountain out of a molehill. As all of you know, this has happened before. I know a lot of us don't really care about it unless it happens to be an issue that we are interested in. I think this is just an extension of something we did before, and it certainly had a hearing. I haven't heard anybody say they weren't in agreement with what we are trying to do. So I think we are just killing time. I think we ought to go ahead and move the bill along and vote on it.

SENATOR CLARK: Senator Maresh.

SENATOR MARESH: Yes, Mr. Chairman, in reply to Senator Higgins,