

to continue, followed by Senator Chambers.

SENATOR HALL: Thank you, Mr. President, and members. Again, I rise in opposition to the amendment because...

PRESIDENT: The call is raised.

SENATOR HALL: ...what the amendment does is it basically takes what we currently do with a citation for less than an ounce of marijuana, makes it a misdemeanor, Class III misdemeanor. We will allow now for all of these cases which deal with less than an ounce of marijuana which is, basically, yeah, it is someone who is using and we should address that, but you don't address that issue, in my opinion, with tougher criminal penalties, you address it on the education side. You address it on the treatment side. You address it on the prevention side, and we have, I think, done a good job and need to do more, though, in those areas. We probably need to spend more money than we currently do in those areas of education, prevention, and treatment, but with this amendment, you do come across as being tough on drugs, I guess, but what do you do? You also wipe out the only provision that I know of in the statute, as I pointed out, 29-433, that I referenced that deals with making those individuals who currently are charged with that citation, who have to pay the \$100 fine, there is a requirement that they go to class, they be educated for a minimum of five hours, maximum of 10, and be taught what they are dealing with, what the problems are with the drugs. The drug that they are looking at, the psychological, the physical, the mental affects that it will have on them as individuals. There is mandatory requirement that they successfully complete that education course. You wipe that out if you adopt Senator Pirsch's amendment and, yes, you do penalize them. Yes, you do put a misdemeanor into place. But what you also do with that is you clog the court system to a massive extent because one of the reasons for the change that was made back in '78, the passage of the law in 1977, was the fact that the courts were just becoming jammed with these types of misdemeanors and the decriminalization, if that is what you want to call it, the fact that we made it a fine and a mandatory education provision for under an ounce, was specifically for the reason that we could not absorb all the cases that were being presented to the court. Remember, anybody charged with a misdemeanor has the right to a jury trial. The costs that will be incurred by the public through the court system, tax dollars that will be spent on this type of an amendment, although it