

floor. On the other hand, let's soldier on. My amendment is as it was indicated to you yesterday. It amends the Johnson amendment. The Johnson amendment is, as you recall, a strengthening of our general prohibition against selling drugs to young people, or, also in the case of young people, using them as sellers or purveyors of drugs as part of a network. I believe that the principle of the Johnson amendment as written is the better of the two principles and supplants the principle that is currently found in LB 976. Now, Senator Pirsch and I had a conversation a moment ago talking about were there other ways in which these principles might co-exist. And I said, in fact there was an element of her bill that I found antithetical to the Johnson amendment, which is the enhancement notion, which is to take an existing penalty and make it greater because that act is done in proximity to a school. If that's the case, you can't take the Johnson amendment or our normal drug laws and make them have the same meaning, the same penalty for treating an individual who happens to be farther away from a school than somebody who would be within the ambit of 976, and still criminalize the action of selling to that person with the same gravity as you would somebody close to a school. Of the two, if I'm made to choose, I would say that it's more important to criminalize the behavior of selling to young people, that's the crime, that's the heinous act, that should be our stiffest penalty. Whether that's done close to a school or far away from a school, or whether, for example, a Christian school, a home school applies and that creates a 1,000 foot barrier, I'm not exactly sure. The simpler answer to me, rather than to get a compass out and to draw a whole lot of circles on a city's map, is to simply make it a stiff, heavy penalty to sell drugs to kids. And then it doesn't make a difference where you are inside the borders of Nebraska once that action has taken place, a very heavy criminal sanction attaches to the act. So, my amendment says in the event the Johnson amendment is attached to 976, the existing provisions are stricken, that the Johnson principle prevails because, in essence, it's antithetical to the existing principle in the bill. Now, could you change the principle in the bill? Well, Senator Pirsch challenges me to think of how that could be done, and I say, well, it would be possible. You could make it a separate offense to sell close to schools, with a separate penalty that doesn't change, that doesn't enhance existing penalties but makes it a separate penalty. That would not be directly contradictory to the Johnson amendment. And at that point you've got to think about it, maybe the equities are there, if you can draft the bill