

TRANSCRIPT PREPARED BY THE CLERK OF THE LEGISLATURE
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April 14, 2003 LB 454

SENATOR CUDABACK: Senator Chambers, you have about a minute and ten.

SENATOR CHAMBERS: Thank you. Mr. President, members of the Legislature, going to this drug court...

SENATOR CUDABACK: One minute.

SENATOR CHAMBERS: ...is like probation. Failure to complete whatever they tell you to do in this drug court is not a crime. That is not a crime. You can sentence somebody to jail only for committing a crime. You cannot sentence somebody to jail for violating an administrative order. So for Senator Aguilar, because he doesn't understand the law, to say it's not heaping punishment on punishment, is something that should be totally disregarded. You should read the language of the bill. It says short-term jail time for not complying with this program. Not violating any law. And that is unconstitutional, even if a court said it wanted to do it. Even when it comes to contempt, the court can send you to jail for...

SENATOR CUDABACK: Time.

SENATOR CHAMBERS: ...criminal contempt, but you're violating an order of the court, and that's how the court has been empowered to protect itself.

SENATOR CUDABACK: Time is up, Senator Chambers. I'm sorry.

SENATOR CHAMBERS: This...thank you, Mr. President.

SENATOR CUDABACK: I'm sorry. Senator...thank you. Mr. Clerk, item on the desk.

CLERK: Mr. President, Senator Beutler would move to amend the bill, FA1304. (Legislative Journal page 1275.)

SENATOR CUDABACK: Senator Beutler, you're recognized to open on your amendment to LB 454.

SENATOR BEUTLER: Senator Aguilar, let me try out this idea on