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some more and read some more, and hopefully can get a handle on what we're really trying to do, and stay within the bounds of the constitution. With that, thank you very much.

SENATOR CUDABACK: Thank you, Senator Vrtiska. (Visitors introduced.) On with discussion of the Beutler amendment, Senator Foley, followed by Senator Schimek and others.

SENATOR FOLEY: Thank you, Mr. President, members. I want to pick up where Senator Vrtiska and Senator Chambers were just at, and that's on page 3, lines 5 and 6. Senator Aguilar, you know, I'm a cosponsor of the bill, I helped the bill in committee, voted the bill to advance. I want to help the bill here. I want this bill to go all the way to the Governor's desk. However, Senator Chambers is making some progress with me on that particular provision, lines 5 and 6. And I'm wondering, do we really need that? Can't we just strike that sentence? If you'd yield.

SENATOR CUDABACK: Senator Aguilar, would you yield?

SENATOR AGUILAR: In my opinion, for what it's worth, we do need that. And I understand what Senator Chambers is saying very clearly. He doesn't think it's necessary. But I'll say to you right here on the floor, if an enterprising young attorney wants to challenge what's happening in the drug courts today, I think he'd win.

SENATOR FOLEY: It seems to me if someone has a drug problem and they're given the opportunity to participate in this program, you know, with all that's known about it and all the successes and so forth, this gives them an opportunity to turn their life around, have a second chance at life, is the way you described it, why isn't that sufficient incentive? Why do we have to have this extra club over their heads threatening them with jail, even when their guilt or innocence has not been established?

SENATOR AGUILAR: You know, I'd answer that this way. I mean, why is this different than when we put a person on probation? If they violate the terms of probation, ...how do you make them stay on probation? They know if they violate that, they're