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I don't think that's even legal. I think that would be unconstitutional. I have great problems, now that my attention has been called to this particular section. I don't think we could do it. Now, let me ask you about the language, because it says, impose short-term jail time or detention as a sanction for noncompliance of drug treatment program. What does that mean? What does noncompliance mean?

SENATOR AGUILAR: Okay. First of all, when you start off in the program, you have to have a UA three times a week. If you test dirty...

SENATOR SCHIMEK: You have to have a drug test, you say?

SENATOR AGUILAR: A UA.

SENATOR SCHIMEK: Three times a week?

SENATOR AGUILAR: Three times a week.

SENATOR SCHIMEK: Okay.

SENATOR AGUILAR: If you test dirty, that is considered noncompliance, at which time you will be ordered probably to more counseling sessions, possibly more frequent testing to make sure you stay on the straight and narrow. And then, the final, last ultimatum is jail time, three days in jail if you don't comply.

SENATOR SCHIMEK: I don't think you can do that. That's...what they are doing or not doing in this program is not criminal. But if they are failing to comply with the program, then they shouldn't be in the program. If there is such noncompliance that they are not going to be successful in this program, then I think they ought to be sentenced and go to jail. I don't think that we can sentence them for failing to take a drug test. I don't think we can do that. And I may be wrong. But I think that's what I'm hearing other people on this floor saying. And we're actually on Senator Beutler's amendment. And I don't have any problem with Senator Beutler's amendment particularly. But I don't think it gets to the heart of the objections here. And