## TRANSCRIPT PREPARED BY THE CLERK OF THE LEGISLATURE Transcriber's Office FLOOR DEBATE

May 20, 2005 LB 117

parole and how we deal with these individuals. amendment will, on page 15, expand the fact that you have to be assessed and treated for drug abuse to also include a mental health component to that, and that those that are found convicted of violations within this section are required to satisfactorily attend and complete an appropriate mental health or drug abuse assessment, conducted by a licensed mental health professional or substance abuse professional authorized to complete such assessment and complete recommended treatment and counseling. That simply updates our statutes to include the mental health component, as it is very, very widely recognized. And I think Senator Jensen would agree that there is a correlation between meth addiction and mental health. Secondly, and this...the amendment speaks to both probation and parole, as I go through this. Secondly, the amendment indicates that as a public policy of the state of Nebraska, if you're found quilty to have violated sections of law on the felony level relative to illegal drug use, that you be subject to periodic testing for illegal drug use by your probation and parole officer. Right now that is not a part of our public policy stance of the state of Nebraska, and I can attest on the floor of this Legislature that we have individuals that are on probation felony-level drug offense that are not required to be subject to urinalysis testing. I think that it's important that we get this on our books, and that as a public policy of the state of Nebraska, if you're found guilty of a felony-level drug offense, that you be subject to testing. And finally, the amendment calls for a conviction within this section, relative amphetamine, that if you are on probation or parole for methamphetamine offense, either possession or intent to deliver, that you do not use any medication containing pseudoephedrine unless prescribed by a practitioner. And here's the thought or the philosophy behind that. Time and time again probation officer or parole officer will have one of these offenders provide a UA sample. And time and time again that sample will come back testing positive for amphetamine. And their knee-jerk response to that is they took Sudafed last weekend, they had a cold yesterday, they took some Sudafed. So methamphetamine is quite unique in that one cannot go to the Walgreens...go to a Walgreens store and buy marijuana. I mean, if you test positive for marijuana, it's fairly conclusive that