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and we haven't the facilities in many areas of the state in which to take them even if we had the ability to. First off, if we find somebody who is drunk in the street, we can't do anything for them. We can't take them anywhere. Secondly, the situation as the bill was originally introduced was that they had to go to a detox center or a hospital or a doctor's office but there are many places in this state that do not have those facilities so the amendments basically say as a last resort, as a last resort, you can take a drunk person from a public place and take them to a jail only under protective custody without any record kept for their own safety and well-being. I think that is very good. I think it is a very good amendment. I don't like the idea and the attitude that when somebody is drunk and he is in a public place that we ought to throw them in jail. I disagree with that philosophy but we have to keep them away from other people and we have to take care of their situation and understand their circumstances so I think that this means of allowing as a last resort taking a drunk person to a jail is indeed in the public interest and the amendments are a very positive step to deal with a problem that I know Lincoln has had, I know other places in the state have had, and I think this deals with the problem much better than delaying the decriminalization and I think it will deal with the problems that the state faces throughout the different cities.

SPEAKER MARVEL: Senator Newell, do you wish to speak to the committee amendments?

SENATOR NEWELL: Yes, Mr. President and members of the body, if I could ask Senator Nichol a question.

SPEAKER MARVEL: Senator Nichol, do you yield?

SENATOR NICHOL: Yes.

SENATOR NEWELL: Senator Nichol, would this mandate that the law enforcement personnel would remove those intoxicated people from public property?

SENATOR NICHOL: If the officer thought they were in peril or in danger to themselves or to the public, yes.

SENATOR NEWELL: Is this a mandatory thing or is it a voluntary thing or is it totally up to the discretion of the officer?

SENATOR NICHOL: Yes, sir, it is up to the discretion of the officer. Whenever an officer approaches someone who is intox-