

April 10, 1980

LB 991

drug paraphernalia. Three, the final committee amendment is a technical amendment which plugs into the civil forfeiture sections of our existing law. These amendments will provide direction to the courts to dispose of drug paraphernalia which has been civilly forfeited. I move for the adoption of the committee amendments.

SPEAKER MARVEL: Senator DeCamp, do you wish to speak?

SENATOR DE CAMP: Mr. President, just a few brief comments. Senator Simon and I had another amendment. Senator Venditte has indicated he doesn't want the other amendment. He wants to try his original version. I personally believe the version even with the committee amendments is going to be unconstitutional and, therefore, will accomplish absolutely nothing and will be like so many things in here when somebody gets their neck bowed and it appears you are doing something and you are not but sometimes we have to let the lesson be learned again. The best most recent lesson in this area had to do with the abortion bill. I did everything in the world to make that constitutional and the only parts that were unconstitutional were the parts I stood on this floor and said they are going to be unconstitutional. I submit to you, Patrick, you would be wiser going with a bill that will work. May be not be as dramatic or flashy as yours, however, the World Herald, Patrick Venditte and Bill Nichol want to try this path, I am willing to let them go this way but I think you are walking into a buzz saw in terms of appearing to do something and really doing nothing.

SPEAKER MARVEL: The discussion is on the committee amendments. Senator Kelly. Okay, Senator Simon.

SENATOR SIMON: Mr. President, members of the body, I think I will take my opportunity now since I don't think we are going to have time to discuss the two amendments that I have up there and I am going to...well we don't have the time, but I am going to ask that both of those amendments be withdrawn on General File. I will offer them on Select, at least at this point I am planning on doing so. I think it is important because I had probably at least a dozen or more senators come over to me and ask me about this bill and I want to try to explain it in a relatively short period of time just exactly the difference between some amendments that I have worked on, one set with John, another set by myself and the committee amendments and I have handed out this sheet. It helps to clarify it. Let's set a few things straight on the record first and foremost. There have been five Attorney General's opinions on LB 991, five.