

SENATOR BEUTLER: If we got rid of that part of the definition that had to do with the public health...or public safety and welfare and allow that simply to be covered by subsection 1, would that be satisfactory to you? I guess my reluctance is, I don't know what that means except if it means risk to another...serious harm to another person or persons.

SENATOR WESELY: Yes, that is why we took out morals because we couldn't see how that would be invoked. I don't know...the definition came from DPI. We didn't like the morals side of it. The safety and welfare may have some implications I am not aware of, but at first blush the Section 2 definitions are adequate, in my estimation. So if you could wait till Select File to give us a chance to clear that and have a better understanding of exactly why they have that definition, I would appreciate it but I am at this point willing to make that change.

SENATOR BEUTLER: Okay. The other question I had with regard to just understanding what the bill means. The second part of the definition of a drug abusing person is a person who is addicted...so addicted to the use of drugs as to have lost the power of self-control. Isn't that redundant? I mean, I...one question I have is the word "addicted" itself, doesn't that mean that it is beyond your ability to control? I always thought that is what an addiction was.

SENATOR WESELY: Okay. Yes, I can see your point, but again definitions are tricky sometimes as to exactly how to use it. I am told by Dennis Martin, legal counsel for the committee, that this definition evidently was taken out of that 83-701 to 707 drug user commitment law that we are repealing and replacing with this act. So evidently they used other statutory language and probably didn't think much about it. If you want to spend some time to look at that definition more closely, I am willing to do that. I guess since there was more standard language it was felt not to be a problem.

SPEAKER NICHOL: Half a minute.

SENATOR BEUTLER: Is there a definition in the law elsewhere for an alcoholic person and for a mentally ill person?