

any drug offense, violation, including the most minute drug offense, possession of paraphernalia, possession of a seed or two of marijuana, that the penalty must be revocation of your operator's license for six months. Now is that a good law? Is that a good penalty? Is that good policy? I don't know. It doesn't sound too bad for some. For others that sounds like an awfully heavy-handed penalty but the key is the federal government tells you what laws you're going to wind up passing and what the penalties are going to be and when you're going to do it and how you're going to do that. Congress has given an out and it has said to us, states, if you do not want this federal mandate by April 1st of 1993, if your Legislature rejects that federal mandate and the Governor of your state personally makes a communication to Congress that he rejects it or she rejects it as well, we're not subject to the penalty. What is the penalty for the State of Nebraska? If you'll look on the second page you will see under item 14, the penalty that we face for fiscal year '94 which begins October 1 of this year is \$5.4 million. Next year is \$5.4 million of highway funds that we will lose. The next year it jumps up to \$10.8 million of federal highway funds. Those are tremendous penalties. They have tremendous impacts upon the State of Nebraska and our funding. By passing this resolution we do two things. One, is we tell the Congress that we do not want to live by their mandate. We also ask them to repeal those mandates in this particular law and it's always been a state function that we ought to decide who gets an operator's license, when it gets taken away and how that operator's license is handled administratively. This is the first opportunity you're ever going to have to tell the federal government no, and I tell you we ought to do it and we shouldn't bat an eye of doing it. Other states are beginning to do it. Nebraska would be one of the leaders in this area of telling the federal government no. As of today there are five other states who have made this rejection. This particular bill, or this concept I think was before the Legislature and I'm not sure if it was in Senator Abboud's bill or not, but I know the Judiciary Committee did not include that when they brought the bill out of committee. By passing this resolution this morning you do not preclude us from passing that piece of legislation. What you do is you allow the mandate to be taken away. So if next week or in two years we decide to pass the law, we can do it. This resolution doesn't prohibit this Legislature from passing the substantive law for this concept, but it does prohibit the federal government from holding the gun to our head. I think we ought to take this rare