

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

May 19, 2003

LB 43, 133, 438

what LB 43 does. This bill was voted out 7 to 0, with 1 person absent from the Judiciary Committee. There's going to be an amendment with two other bills that impact juvenile justice. They also were voted out with a 7 to 0 vote from the committee. And with that, I will close and answer any questions, should there be any. Thank you.

SENATOR CUDABACK: Thank you, Senator Thompson. You've heard the opening on LB 43. There are Judiciary Committee (sic), as stated by the Clerk. Senator Brashear, as Chairman of the committee, you're recognized to open on AM1246.

SENATOR BRASHEAR: Mr. President, thank you. Members of the body, the committee amendment by your Judiciary Committee incorporates two bills relating to juvenile justice, as Senator Thompson indicated, as they were advanced, after amendment by the Judiciary Committee, LB 438 and LB 133, and both of them having been advanced by the committee 7-0, as Senator Thompson indicated, both have committee statements available to you for review. The first bill incorporated is LB 438. Sections 9 and 10 of the amendment constitute that bill by Senator Beutler. LB 438, and Sections 9 and 10, provide that a person knowingly or intentionally causing or permitting a child or vulnerable adult to inhale or have contact with methamphetamine or its substances is guilty of a Class I misdemeanor for the first offense, and a Class IV felony for any second or subsequent offenses. A person who knowingly or intentionally causes or permits a child or vulnerable adult to ingest methamphetamine or its substances would be guilty of a Class I misdemeanor for the first offense, and a Class IIIA felony for any second or subsequent offenses. If a child or vulnerable adult suffers serious bodily injury as a result of the crime committed, the penalty classification is a Class IIIA felony, which is five years and/or up to \$10,000...up to five years and/or up to \$10,000. If the action results in the death of the child or vulnerable adult, the person would be guilty of a Class IB felony, up to 20 years and/or life. It shall be an affirmative defense when the substance was provided pursuant to a prescription for the child or vulnerable adult, and the prescription was administered in accordance with its specifications. Also a part of the committee amendment, at