

die, we had to stomp it and kill it. An amazing thing when the major group that is supporting good has not even had the courtesy to look at the amendment and say whether it was good or not, and I find that quirk in the process disturbing. LB 48, on my amendment, colleagues, the handout tries to tell you I cannot argue good versus bad on the floor. If you have the mind-set that you want to do good, thus support the amendment and you want not to do evil and you support not the Senator Bernard-Stevens amendment, I cannot fight that with words on the floor. I hope that reason, logic and facts put in front of you that this body will do what it usually does and that is do the right thing. LB 48, the amendment that we are now talking about does the following. On my handout, if you would just take a moment of your time, there are six points that we have been consistently talking to that the Dental Association and Senator Dierks and Senator Nelson and I have been trying to improve upon to stop cancer and to stop our youth from being addicted to the product. I would like to tell you and go through what LB 48 does and what my amendment does so you can see a clear depiction of the two. Number one, according to Nebraska law, sampling is illegal in tobacco products to minors. Neither my amendment nor the bill would change that. It's going to be illegal. Point two, if a minor illegally receives a sample, he or she can be charged with a Class V misdemeanor. The law also says, by the way, that if the minor charged with the illegal substance of getting a sample, if you wish, the minor may have the charges dropped if they say who the person was that gave them the substance. Cap's bill, LB 48, would not change that. My bill would change it in a very minor way. We would still keep it a Class V misdemeanor but we would say, boys and girls, I'm sorry, we must take some responsibilities as well. On alcohol, we have MIP charges, we have penalties against alcohol. On drugs, we have laws too. We are not, in my amendment, going to drop the charges if they tell us who, in fact, gave it to them. We will, at least, make them responsible up to the Class V misdemeanor for their actions and children need to learn to be responsible for their actions in a way that is not harsh. A Class V misdemeanor is not overly harsh. It's the least penalty we can do. And you certainly do not have to have the maximum. Point three, what about the person that deals? What about the person who actually gave the illegal substance? It's a Class III misdemeanor right now. Cap's bill will not change that. I will add one thing. Not only is it a Class III misdemeanor but, as it is now, if I gave 15 illegal samples out and I was caught, I would be charged with one Class III misdemeanor. Under the