

March 28, 1990

LB 976

the student is caught now with the illegal substance, what is the punishment now?

SENATOR PIRSCH: Well, it would be a Class IIIA misdemeanor...

PRESIDENT: One minute.

SENATOR PIRSCH: ...which is a up to a \$500 fine, no minimum, and 7 days. Now you would find most of these students going into juvenile court.

SENATOR BERNARD-STEVENS: Correct.

SENATOR PIRSCH: And it is difficult to say what the juvenile court does.

SENATOR BERNARD-STEVENS: Yeah, I guess the question I would like to have answered at some point is I am, again, mulling it over in my mind and I am thinking that we have a law that, in essence, says \$500 fine, if it is a...we are talking about a IIA, is that correct?

SENATOR PIRSCH: Right.

SENATOR BERNARD-STEVENS: Okay.

SENATOR PIRSCH: At the top of the page.

SENATOR BERNARD-STEVENS: Yeah, minimum 7 days imprisonment, maximum 7 days imprisonment, \$500 fine or both, minimum none, except we are looking at juveniles, so it is going to be a little bit different, obviously, because of juvenile court.

SENATOR PIRSCH: Could be.

SENATOR BERNARD-STEVENS: Yeah, I guess what I am having a hard time figuring out for myself is if right now we have a potential \$500 fine that the student may be looking at, why do we think that putting the minimum at the \$300 fine is going to be an actual deterrent because you could go right now and tell the student it is illegal, you can't possess it. If you are caught with it, it could be as...

PRESIDENT: Time.