

CLERK: 27 ayes, 0 nays on the adoption of Senator Chambers' amendment to Senator Johnson's amendment, Mr. President.

PRESIDENT NICHOL: The Chambers amendment is adopted. May I introduce some guests please under the north balcony. They are guests of Senator Bernard-Stevens. We have Jennifer Martin, Michelle Shandera, Heidi Schaef, and Candace Books, all of North Platte and they are with the Youth Advisory Council. Would you folks please stand so we may recognize you? Thank you for visiting us today. Mr. Clerk, do you have another...anything else on the bill?

CLERK: Mr. President, Senator Chambers would move to amend. Senator, I have your amendment that reads, "Strike the final four lines of the Johnson amendment." (See Chambers amendment FA438 as found on page 1728 of the Legislative Journal.)

SENATOR CHAMBERS: Yes, and, members of the Legislature, again, this amendment is on page 1346 of the Journal and I'm going to read the the language that I would strike. Then I'll explain why I think it should be stricken. "It shall not be a defense to prosecution for violation of subsection (15) or (16) of this section that the defendant did not know the age of the person through whom the defendant violated such subsection." Members of the Legislature, if you look at the way this amendment is crafted you'll see that it correctly requires, in lines 5 and there are a couple of...oh, line 14, that a person to be guilty of violating any of these sections must knowingly and intentionally do the things involved in this offense. We're creating a new crime. The crime, and I hope that Senator Johnson will be able to follow to some extent what I'm saying so he'll know my rationale, the crime consists not only in doing the activities, but the age of the individual. We're not just making it a crime to sell drugs to any person regardless of age. We are making it a crime, a brand new crime, to sell drugs and do these various other things, persuade somebody to sell them and so forth, under the age of 18. The elements that are necessary to have the crime are the conduct knowingly and intentionally engaged in, and knowing the age of the individual to whom you sell it. Otherwise, there's...the knowingly and intentionally does not apply to all elements of the crime. So what you're running the risk of, if you leave this language in...Because remember when you go to trial on this you want the person who's going to do these things to somebody under 18. That's what you're aiming at. So you're going to have to