

really any enforcement effort so I suppose it doesn't make much sense to have a law about possession of cigarettes when we don't even really enforce the prohibition against minors using cigarettes, but it's just another inconsistency that exists and probably will continue to exist for some time. Thank you.

**SENATOR WARNER:** Seeing no further lights, Senator Chambers, do you wish to close on your motion to reconsider the adoption of the Bernard-Stevens amendment?

**SENATOR CHAMBERS:** Thank you, Mr. President and members of the Legislature and to Senator Beutler. The liquor industry is one of the most highly regulated industries in this society, and the Supreme Court has said that they can be because of the nature of the product, so I think the liquor industry is the one that pushed for making it a crime for youngsters to even possess this substance so that the burden is on them rather than the liquor industry to police itself in terms of whom it distributes this stuff to. But on this particular amendment, if you look at what it's dealing with, which is the tobacco product, you have to realize that far more parents will send their children to the store to buy cigarettes than will send their children to a liquor store to buy liquor, because the liquor store's not going to sell it to the children because they'd lose their license. There is a penalty on them for doing it. By criminalizing this conduct, it's not doing something for the children. It's doing something to them. It's like saying that if a woman is victimized by a rapist, you make it a crime for her to be raped. If old people are tricked by con men into paying them money to fix their roof and it's not fixed, you make it a crime for the old people to be tricked. So when young people may be sent to the store by their parents to do something, you make it a crime for the child to carry out what the parents instructed the child to do. Here's what can happen if you criminalize possession. When the parent sends the child to get the cigarettes, then he or she is sending that child to commit a crime, sending the child to commit a crime. When the parent directs the child to commit a crime, that, in itself, shows a lack of parental supervision and the parent then makes himself or herself or themselves liable to the law and the possibility of losing the rights over their children because no parent can be considered fit who would send the child to commit a crime. There are many things that should be looked at before conduct is criminalized, and I think it's very easy to throw a net out there and catch young children in it. That is not what we should do. I believe