

February 14, 1995 LB 121

SENATOR CHAMBERS: Let's not talk about an officer using an evaluation. Isn't that what the law says, tobacco in any form whatever. Isn't that what the law says?

SENATOR BERNARD-STEVENS: That is correct.

SENATOR CHAMBERS: So it wouldn't require any interpretation or construction whatsoever by the officer. That's all that I wanted to ask you. Thank you. Members of the...oh, let me ask you this, if a child snitches, then the child will not be prosecuted? That's correct, isn't it?

SENATOR BERNARD-STEVENS: That would be correct.

SENATOR CHAMBERS: So if a child is working in a store and sweeps up butts and a cop happens to be there as a security guard and decides he wants to get this kid because he doesn't like him, he can arrest the child, but then if the child snitches on the store owner who put him in the position to do that, then the child wouldn't be prosecuted. Is that true?

SENATOR BERNARD-STEVENS: Under that scenario, that would be correct.

SENATOR CHAMBERS: And what would happen to the store owner for contributing to the delinquency of the minor in this fashion?

SENATOR BERNARD-STEVENS: In this bill, it would be a Class III misdemeanor.

SENATOR CHAMBERS: So we're not only criminalizing the child and the child's conduct, we're creating additional categories of crimes for adults which currently don't exist.

SENATOR BERNARD-STEVENS: Now the Class III exists at this point.

SENATOR CHAMBERS: But you could not get somebody with a Class III for having merely put the child in the position of sweeping up the tobacco, the butts or whatever, could you?

SENATOR BERNARD-STEVENS: That is correct, Senator.

SENATOR CHAMBERS: If the child worked in the store and one of these nefarious people that you talked about who was going to conceal something on his or her person did so and ran out of the