

TRANSCRIPT PREPARED BY THE CLERK OF THE LEGISLATURE
Transcriber's Office
FLOOR DEBATE

April 27, 2005 LB 117

see, people will go to just about any extreme to get ahold of these products. Locking them up behind the counter is great. It will work. We have our cigarettes locked up right now. We'll put those...we probably, in a small store like we have...we probably won't have enough room to handle all the products that we do now on an open counter. But we'll make that work. We can make that work. And I also have a little problem with...

SENATOR CUDABACK: Time, Senator Janssen.

SENATOR JANSSEN: ...having to be 19 years old to...thank you.

SENATOR CUDABACK: Thank you, Senator Janssen. On with discussion. Senator Beutler, followed by Senator Dwite Pedersen.

SENATOR BEUTLER: Senator Cudaback, members of the Legislature. This has been a good discussion. It's been ranging far beyond...and this is not bad. It's been ranging far beyond the particular amendment that's in front of you, and the concept that's in front of you. But let me just tell you some of the things I've learned in the process of approaching this whole subject. And some of these things I knew before today, and some of them, I didn't. But they are really along the lines of possession. There are really a number of ideas going around, all of which have the potential for making this tougher and better. And the more I see these things, the more I truly believe we can put something together that is a little tougher. But let me give you a flavor for what's happening. I mean, first of all you have the current law, and the current law prohibits possession of these particular materials we've been discussing, if there is an intent to manufacture. Okay? But they have to prove an intent to manufacture, and that's the difficult part of that law. Whereas if you had a plain possession law, they wouldn't have to prove intent to manufacture. The nice thing about the intent to manufacture law, though, is if you can prove intent to manufacture, it doesn't matter what quantity of these materials that you have. So that's sitting out there as our current law. And then there's the proposal I'm making to you, that, forget about the