

Legislature Notebook

Bill would target minors and smoking

Senators discussed a bill Wednesday that would make laws regarding tobacco use and minors more specific.

LB1035, introduced Jan. 6 by Sen. Elaine Stuhr of Bradshaw, would make it illegal for minors to possess, use or buy tobacco.

The bill would also punish those who attempt to use a fake ID, Stuhr said.

The current law prohibits minors only from using tobacco but says nothing about minors buying tobacco, Stuhr said.

The legislative Judiciary Committee heard testimony on the bill but did not vote on it.

The Legislature has been looking for ways to prevent teen smoking and are planning on exploring new options, Stuhr said.

Minors convicted of a tobacco-related offense might also have to take a tobacco awareness class as well as perform community service, Stuhr said.

"The bill proposes that teens take responsibility for their actions," she said.

Bill would make drivers, cell phone users liable

People who drive while talking on the phone could be held partially responsible in an accident if a proposed bill passes in the Legislature.

LB993, introduced Jan. 5 by Sen. Dave Landis of Lincoln, would allow an individual to be held additionally liable if it can be proven that use of a cellular phone contributed to the accident.

"(Cell phones) are highly unsafe," he said.

The bill states that the use of a mobile telephone while simultaneously driving creates negligence on the part of the driver.

Members of the Legislature's Judiciary Committee heard testimony Wednesday about the bill and did not vote whether to advance it to the floor for debate.

Compiled by staff writer Jill Zeman

ASUN

Senate bill commends student court justice

By Sara Salkeld

Staff writer

The Association of Students of the University of Nebraska approved a bill for an official commendation of a student court associate justice.

Donald Arp Jr. was commended for his work in categorizing all of the student court cases the court has heard since 1967.

Student Court Chief Justice Trent Steele said what Arp has done is important to the work of the student court.

"It enables us with a precedent to make decisions," Steele said.

The commendation further honors Arp's work by naming the student case file the

"Donald Arp Case Directory."

Arp said he wants to make the student court more professional.

"It shouldn't be students who are justices, it should be justices who happen to be students," Arp said when accepting the commendation.

In other ASUN senate news, the College of Arts and Sciences will be holding a debate for its candidates.

There are currently 16 candidates running for six spots.

The debate will be held Feb. 22 from 4 to 6 p.m. in the Nebraska Union. At 4 p.m., there will be an opportunity to meet the candidates in the Pewter Room. At 5 p.m., the candidates will be in the auditorium to make formal statements and answer questions.

LEGISLATURE

Drug item standards could be expanded

By Jill Zeman

Staff writer

Debate swirled Wednesday around a legislative bill that could classify several household items as drug paraphernalia.

LB1102, introduced Jan. 10 by Sen. Ray Aguilar of Grand Island, would add items such as mixing equipment, scales and testing equipment to the list of drug paraphernalia. It also lists blenders, bowls, containers, spoons, capsules, balloons and envelopes as potential drug paraphernalia.

Aguilar said officers could identify possible drug paraphernalia, but individuals could not be convicted unless it was proved the individual intended to use the item for illegal drug use.

The Judiciary Committee discussed the bill and did not vote whether to advance it to the floor.

Aguilar said he introduced the bill because he was concerned about marijuana use among Nebraskans.

"It's easy for children to obtain drug paraphernalia in any of Nebraska's larger communities," Aguilar said.

Items used for smoking marijuana are found at stores nicknamed head shops. The paraphernalia can be sold legally because retailers present them for tobacco use, Aguilar said.

"What kind of message are we sending to our kids when we say the possession of marijuana is illegal, but you can buy pipes and bongs legally?" Aguilar said.

Sen. Ernie Chambers of Omaha said the bill would give police officers too much power.

Chambers said under the bill, law enforcement could see items that could be considered paraphernalia and use probable cause to search a vehicle.

"The difference between you and me is that you think cops don't lie, and I know they do," Chambers said to Aguilar.

The bill would also increase the penalty of possessing drug paraphernalia from an infraction to a misdemeanor, Aguilar said.

Bob Hallstrom of the Nebraska Pharmacists Association testified in a neutral capacity because, under the bill, some pharmacies could be affected.

Many pharmacies use scales, which would be considered paraphernalia, to weigh prescription drugs, a controlled substance, Hallstrom said.

Aguilar said the hearing produced questions that would help draft a better bill.

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