

April 14, 1980

LB 991

prepared to act this evening on LB 991.

SPEAKER MARVEL: The motion is withdrawn.

CLERK: I have other amendments, Mr. President.

SPEAKER MARVEL: Pardon?

CLERK: I have other amendments.

SPEAKER MARVEL: Okay, go ahead.

CLERK: Senator Simon and DeCamp move to amend the bill, Mr. President, and their request is printed separately. You will find it in your bill books. It is request #2308.

SENATOR SIMON: Pat, is the next set of amendments mine also then, the other one?

CLERK: Senator, it is request #2245, which way do you want?

SENATOR SIMON: No, we will do it the way that it is. I am just going to make a couple of remarks and then I am going to ask unanimous consent to withdraw both of them, but I do want the record clear on this. I have had an opportunity to say it at a news conference today but I still feel imperative to say it on the floor today. Let me explain if there is any doubt in your minds what the scenario on this is going to be. 991 will pass as amended by the committee amendments. The bill will be enjoined which means that for approximately two years it would be my guesstimation the head shops will be able to be in business as usual. That is regardless of whether or not the bill is constitutional, Senator Landis, and I would suggest it is not. But regardless, it is going to be two years so all we end up doing, Senator Kahle, is going on record as being opposed to head shops which has some merit. I think that has some merit but I think that somewhere along the line we have lost sight of the real issue and the real issue is that these head shops are selling to our youth and that we need to do something to stop that. The only way that you could have done that would have been the adoption of the Simon-DeCamp amendments which were the only set of the five that you mentioned, Senator Landis, of the five Attorney General's opinions, the only Attorney General's opinion which stated that it would be constitutional was the one limiting the sales to eighteen years of age and under. But seeing as how 991 is, I have acquiesced and agreed to let Senator Venditte go ahead and