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March 25, 2003

Via facsimile (702-222-9909) and regular mail

Senator Barbara Cegvaske
Nevada State Senate
State Capitol Building
Carson City, NV 89701

RE: SB 339

Dear Senator Cegvaske:

I want to begin by thanking you for your work to reduce the access that under age youth have to both beverage alcohol and tobacco products over the years. You have been very helpful in bringing these issues to the attention of the Nevada State Legislature.

The Attorney General's office wants to support SB 316 that prohibits children under the age of 18 from falsely representing their age to be 18 or over. In addition, the Attorney General wants to propose an amendment that would clarify that a child assisting in a tobacco compliance check under NRS 202.2496 may not be charged with violating Section 2 of SB 339. The Attorney General wants to propose the following text be added as a second sentence of Section 2.

A child assisting in an inspection under Nev. Rev. Stat. 202.2496 may not be charged with or found guilty of violating this section or detained by a merchant under Section 3 of SB 316.

This language would clarify that a child assisting in a tobacco compliance check may not be charged, found guilty of, or detained under SB 316. If Section 316 were passed without this amendment, the retail clerk may try to detain the youth assisting in a compliance check. If a youth employed by the Attorney General did misrepresent his or her age, the Attorney General's office would prefer to manage that youth's behavior as a personnel problem and not a disagreement at trial over who should be charged with violating the law.

EXHIBIT E Senate Committee on Judiciary

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I hope this amendment meets your approval. I look forward to seeing you at the hearing on SB 339.

Sincere regards,

BRIAN SANDOVAL
Attorney General

By:



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