

vote if you care to do so. Record, Mr. Clerk, please.

CLERK: 25 ayes, 0 nays on adoption of the motion to advance the bill.

SPEAKER NICHOL: Okay, LB 323 advances. LB 406.

CLERK: (Read title.) The bill was read on January 18 of this year, referred to the Judiciary Committee. The bill was advanced to General File. There are committee amendments pending.

SPEAKER NICHOL: Senator Hoagland.

SENATOR HOAGLAND: Mr. Speaker and colleagues, this bill is the so-called look-alike drug bill which the Legislature and the Judiciary Committee has been working on for four years now. This particular committee amendment, once again, strikes additional language from the original proposal, to bring the bill down to as manageable a form as possible. If you will look at page 4 of the bill, which contains all of the new language pertaining to look-alike drugs, this bill takes out the language, "if introduced into the human body would have a stimulant or depressant effect similar to or the same as a controlled substance" out of a concern for overbreadth. This amendment simply strikes that language to narrow the bill down even further, leaving the operative language, we feel, necessary to put the dealers of look-alike drugs in Omaha and elsewhere out of business. It is a further effort to refine the language in this very difficult area. I ask that you support the committee amendment. Thank you, Mr. Speaker.

SPEAKER NICHOL: Senator Landis.

SENATOR LANDIS: Upon reading the bill I noticed the use of the word "intent" on page 4. I was simply going to ask Senator Hoagland if this was an intentional act in which somebody was trying to deceive through the use of a look-alike the potential purchaser into believing that they were buying a controlled substance. On the face of it, that is what it appears to be doing. I will be judging the bill on that basis, unless I am mistaken. Senator Hoagland, perhaps you could advise me. The use of the word "intent" does occur on line 3 of the bill, on page 4. Is this an intentional act?