

"and" in the first line and replacing "or" by "and" in the fifth line. The Chair recognizes Senator Hoagland.

SENATOR HOAGLAND: Let me emphasize, colleagues, briefly, and I... (interruption)

PRESIDENT: May we have order in the Chamber, please, so we can hear our speaker. (Gavel.)

SENATOR HOAGLAND: I apologize for debate so early in the morning having gotten bogged down on a relatively simple bill that does really not, doesn't merit an hour of floor fight. I think we should avoid that if we can, but let me emphasize as Senator Pirsch has why it is important that all these amendments be defeated. Now Senator Chambers' attempt on line 5 of the bill to change "or" to "and" would significantly interfere with the enforceability because right now the bill prohibits drugs where either representations are made that it is a controlled substance or where there are no representations made if by appearance it would be a controlled substance. Now the reason it is important for law enforcement officers to be able to move against these drugs, either where the representations are made or where by appearance they look like controlled substances, comes back once again to this advertising, the advertising that you've seen distributed that this thirteen year old girl in Lincoln received unsolicited. Now some of these ads that we have seen have specific disclaimers in them saying these are not controlled substances, don't worry, there is nothing illegal about purchasing these drugs. Now if we require a representation plus an appearance, why, by containing disclaimers in their advertising, why they will defeat the purpose of the bill because they will say there were no representations made, that it is a controlled substance so, therefore, the law doesn't apply to us. So you see by making that one substitute of an "or" for an "and" we conceivably could be unable to move against the large scale manufacturers and distributors of these bills who will in their advertisements make no representations they are controlled substances, indeed they will include disclaimers that they are not controlled substances. That is just one example of the way that Senator Chambers' amendments could significantly undermine the bill, could defeat its purpose and the reason that those amendments should not be adopted, and with all due respect to my colleague Senator Landis, he has not lived