

example, the American Association of Retired People, that make use of buying pharmacy drugs in bulk. The second problem with the bill is more basic. I'm sure...I'm not sure how many of you are aware of an Attorney General's Opinion, which was handed down last year, by our Attorney General, Robert Spire, and was written by Gene Crump, the Deputy Attorney General. It stated specifically that this type of legislation has some very unique constitutional problems and would, in fact, in their opinion, would be an unconstitutional piece of legislation. I don't know whether this particular amendment that Senator Lynch is offering, in essence gutting the bill and putting in a brand new bill, can get across the hurdle of constitutionality. I plan to take a close look at the piece of legislation now and see if it does cross the constitutional barrier that the Attorney General says that it at this time doesn't cross. For that reason I will closely be monitoring this piece of legislation and make a final determination at a later time. But I really don't have any problems at this time with the amendment offered by Senator Lynch. Thank you.

SENATOR GOLL: Senator Wesely.

SENATOR WESELY: Thank you. Mr. President and members, I would support the Lynch amendment. Senator Abboud raised some points that I think are important to keep in mind. This bill is an important one. There's been some AG opinions and some concern about the effect on interstate commerce. I think Senator Lynch's amendment helps that situation and I would urge your support at this time.

SENATOR GOLL: There are no other lights. Senator Lynch to close.

SENATOR LYNCH: Briefly, Mr. Chairman, Senator Abboud raises some legitimate questions. As written, his concern regarding the Attorney General's Opinion is, in fact, real, and that is, in fact, the purpose for the amendment. However, the Attorney General's Opinion did have to deal with...mostly with out of state...with controlled substances. It is interesting to note, and I think it is important for this Legislature to know that 90 to 95 percent of the controlled substances he's concerned with are, in fact, prescription drugs. Therefore, it is even more important and vital that we make sure that these kinds of prescription and pharmacy products meet minimum standards,