

PRESIDENT: Thank you, stand by.

CLERK: Mr. President, the Judiciary Committee will have an Executive Session today at 1:30 in room 2102. Signed, Senator Luedtke.

PRESIDENT: Judiciary at 1:30 today. Do we have another announcement coming in there?

CLERK: We have a request to print some amendments in the Journal to LB897, unanimous consent request.

PRESIDENT: Are there objections? Hearing none, so ordered.

CLERK: That is all Mr. President.

PRESIDENT: Alright do we have any resolutions on the desk?

CLERK: None.

PRESIDENT: Are there any bills for introduction?

CLERK: None.

PRESIDENT: Alright then we are ready for the bills on Select File which are composed of one? If I might have the body's attention we move for the consideration of bill on Select File through the agenda. 747 is sitting on Select File.

CLERK: Motion on the Desk Mr. President.

PRESIDENT: Read the motion.

CLERK: I move to indefinitely postpone LB747, signed Senator Cavanaugh.

PRESIDENT: Senator Cavanaugh in the chamber? We are ready for your motion on 747 on Select File. We are ready for Senator Cavanaugh's motion here which is to indefinitely postpone LB747 on Select File.

SENATOR CAVANAUGH: Mr. President, members of the Legislature LB747 is Senator, I guess that it is a judiciary committee bill and it is my understanding that it was introduced at the request of Senator Schmit which provides to make it a felony for any person to deliver, distribute or dispense of substance that such person expresses or presently represents controlled substance which is in fact not a controlled substance and would make that a felony for such persons for example to deliver sugar representing it to be heroine to some other person. It is my feeling that while that might be undesirable as a practice to either distribute sugar representing it to be heroine or to distribute heroine itself. That kind of conduct is not sufficiently criminal to merit a felony penalty. I think that it is certainly a deceptive practice but one that could be entirely or substantially innocent rather than I don't quite understand the philosophy behind the desirability of making that a felony. I feel that the basic intent of this bill is rather a...a..and wouldn't accomplish any great purpose of law enforcement or drug control in the state of Nebraska. Could make conduct that is primarily innocent subject to a felony. I would move that the bill be indefinitely postponed.