

PRESIDENT: Chair recognizes Senator Chambers.

SENATOR CHAMBERS: Mr. President, members of the Legislature I won't take much time, but my sentiments are very similar to those of Senator Cavanaugh's. I can understand taking every effort possible to diminish the trade in drugs, but I think that because the issue is so serious and the problems so complex, that every bill that we pass ought to be zeroed right in on the target and we should make an attempt that when we pass the bill to cripple the trade to some extent. I think that this bill is and it can not accomplish any worthwhile purpose as far as control of drugs is concerned and it won't even make undercover agents as careful as they ought to be under the present circumstances. I did not vote to advance the bill and I think that it is, with all due respect, the only term that I can apply to this is foolish because it is not wise. That is the sense in which I mean that it is foolish and I think that it ought to be indefinitely postponed because it will accomplish no worthwhile purpose.

PRESIDENT: Chair recognizes Senator Fellman.

SENATOR FELLMAN: Mr. President, members of the legislature, I will be equally free and the bill is not at all frivolous and the bill should be passed and become law. The bill makes it an offense to sell something that the seller thinks is a drug. We have a situation here where a person who is not a user peddles what he knows or might not know is a drug to someone who thinks that he is getting a drug who can then in turn go on and sell it.

(end belt #1)

(start belt #2)

The whole chain of commercial profit in drugs is carried on. There is an arrest made and after there is careful work contrary to what Senator Chambers said, in the testing department and in the police department it is determined that the substance was not a drug. Everybody thought that it was, the people money flowed into the channels of the illegal drug trade, the people who were profiting on the illegal drugs were making profits but there was no offense that was committed. Because the item itself was not a controlled substance. Now it is not correct to call this a consumer protection bill. It goes way farther than that. It is an attempt to aim at a small portion of the drug trade. It seems to me that if you don't like the drug trade and you want to stop those that are profiting on drugs, you ought to vote for this bill.

PRESIDENT: Chair next recognizes Senator Fowler.

SENATOR FOWLER: Mr. President, I was wondering if Senator Fellman would yield to a couple of questions.

PRESIDENT: Senator Fellman, yield?

SENATOR FELLMAN: Yes.

SENATOR FOWLER: Senator Fellman do you believe in light of other efforts to reduce penalty for crime that this should be a felony?