

March 13, 1980

LB 696

SPEAKER MARVEL: The motion is the adoption of...this is committee amendment number four, right? Labelled number five? All those in favor of those committee amendments as explained by Senator Nichol vote aye, opposed no. Have you all voted? Record the vote.

CLERK: 25 ayes, 0 nays on adoption of committee amendments number five, Mr. President.

SPEAKER MARVEL: The motion is carried. The committee amendments are adopted. Senator Nichol.

SENATOR NICHOL: Mr. Chairman, I would now pick up the last and fourth amendment. Okay?

SPEAKER MARVEL: Yes.

SENATOR NICHOL: The next committee amendment is perhaps the most controversial of the amendments of this bill. The amendment is referred to as number four on page 924 of your Journal as Request #2142. This is the amendment which deals specifically with marijuana. This amendment does the following things. Current Nebraska law makes no distinction between marijuana in its natural state and marijuana in its condensed form which is commonly referred to as hashish. Hashish is generally ten times as potent as the marijuana from which it is condensed but current Nebraska law makes no distinction between the two. Under current Nebraska law it is the same offense to possess less than an ounce of marijuana in its natural state and less than an ounce of hash or hashish oil which hash or hashish oil can be over ten times as potent as marijuana in its original state. This amendment distinguishes between marijuana in its natural state and concentrated marijuana which is the amendment defines as hash or concentrated Cannabis. This amendment does not increase the penalties for possession of marijuana in its natural state. The amendment by itself does not increase the penalty for delivery, that is dealing in marijuana in its natural state. The amendment does, however, increase the penalties for the possession of these highly concentrated forms of marijuana by treating hash or concentrated Cannabis as any other Schedule I drug for purpose of possession. This amendment defines hash or concentrated Cannabis as any substance which contains 6% or more weight of tetrahydrocannabinols. This is where the controversy arises. Senator DeCamp has said that many forms of natural marijuana contains more than 6% by weight of tetrahydrocannabinols. Senator DeCamp has stated that by definition we are calling marijuana hash and thereby increasing the penalties for simple possession.