

SENATOR HOAGLAND: Sure. They could, some of them.

SENATOR HIGGINS: Well, then how would a druggist, if they look alike and everything, a pharmacist know the difference? I'm not trying to be...I believe I voted for this.

SENATOR HOAGLAND: Well, Senator Higgins, actually the Nebraska Pharmacists Association under the leadership of Bob Marshall who distributed this handout and I know visited personally with a number of us are strongly in favor of this bill because the pharmacists themselves feel they need some relief from this current condition.

SENATOR HIGGINS: Well, I'll tell you truthfully, I'm in favor of the bill. I guess I'll have to wait and hear Senator Chambers explain his amendment again because now that I know what a controlled substance is, his amendment says any person who knowingly and intentionally manufactures, distributes, delivers or possesses with intent to distribute or deliver any substance which is not a controlled substance, but which by way of representations made and by appearance, he's putting on it then the onus of having to be not just representation, but also the appearance including color, texture, size, packaging or markings would lead a reasonable person knowledgeable about a controlled substance. I have problems with that, Senator Chambers. Thank you, Senator Hoagland. Was my time up? Oh. Senator Chambers...

PRESIDENT: You have about a minute left, Senator.

SENATOR HIGGINS: I have a problem with that, knowledgeable about a controlled substance, because if we are dealing with children I don't think they are knowledgeable about a controlled substance, but if we are dealing with the distributors and the manufacturers, then they would be. One last question, either Senator Hoagland or Senator Chambers can answer, what is the penalty for a Class III misdemeanor and a Class II misdemeanor? Senator Chambers, would you know that or Senator Hoagland?

PRESIDENT: Senator Hoagland, Senator Higgins wants a question answered.

SENATOR HIGGINS: What is the penalty for a Class III