

SENATOR HOAGLAND: My understanding of the drug laws are that if you give away heroin or cocaine or any drug...

SENATOR SMITH: But these are look-alikes that we are talking about.

SENATOR HOAGLAND: But I mean the general pattern of the drug laws would apply, that if you give away a drug it has the same effect as if you sell it for profit.

SENATOR SMITH: Okay, thank you.

SENATOR HOAGLAND: So, yes, I think if a kid is giving it away to his friends, but once again, think of...all we're doing is we're bringing them within the juvenile court by passing this legislation.

SENATOR SMITH: Thank you.

PRESIDENT: The Chair recognizes Senator Higgins.

SENATOR HIGGINS: Just one more question.

PRESIDENT: I thought maybe you wanted to close, Senator, but if you want to speak I'll recognize you. He did have his light on ahead of you and I assumed that he wanted to close. Do you mind if he goes ahead of you, Senator? Senator Chambers.

SENATOR CHAMBERS: Mr. Chairman, I probably should have turned my light off, then turned it back on, but with the discussion raging as it is I couldn't sit there without saying something. Senator Hoagland has danced around the issues raised in Senator Smith's question. She asked, would the student, roughly, who gives some of these to another student be treated the same as the manufacturer. Yes, the bill makes no distinction. And the person need not possess these with the intent to deliver if he or she just gives one to a student because in the first line any person knowingly or intentionally manufactures, distributes, delivers. Delivers is to give to somebody else. So if you give one pill, you are in the same category as the manufacturer because you have done the thing which the law prohibits. I would ask Senator Hoagland, can he guarantee that every student will be processed by the juvenile court and he would dance around that issue which he cannot guarantee. He is