

that deals with fraud. As I understand what Senator Chambers is saying, and Senator Chambers, I wanted to ask you a question. As I understand what you're saying with your amendment, and the problem that would go along with this, is not so much that you're opposed to this Section, but you don't think it belongs in this particular Section of law that we're discussing. Am I correct in my interpretation?

SENATOR CHAMBERS: Can I take a second to tell you just what I'm doing? I'm opposed to the Section, but the concerns that you and others had about a substance that could result in death being dispensed, I said that should be handled in the crimes against a person, and none of that should be used to muddy the water in this.

SENATOR SIMON: I understand that. It also said that if, for example, a person sold something that did not result in the death, could that not be incorporated then under another section dealing with fraud?

SENATOR CHAMBERS: See, Senator Simon, first of all, and Senator Kelly touched on it, we're discussing dope sales as though it is hard and fast. You know people are dope pushers, but the proof is difficult. It would be difficult to trace a substance to the one who sold it. Who is going to testify and who is going to confess? So it's not touching a substance, like staff and I were discussing arsenic is often used to cut these drugs with. But I told him I just want to mention the things that I can establish were actually used, and baking soda is one of the common ones. But if a substance was used and it killed somebody, you can't find the one who sold it anyway. Here is what I'm trying to get to with all this, if a person is convicted of selling liquor illegally after hours, there is not an additional penalty that you have just for selling diluted liquor. If you're convicted or charged with illegal gambling there is not an additional charge of loading dice or marked cards. If you're convicted of dealing in prostitution there is not an additional penalty for VD. So I'm saying there is a crime that we're dealing with which is the pushing of a narcotic controlled substance. You want to make it a crime to push a substance which is not narcotic and which is not controlled and I think it is improper.

SENATOR SIMON: Thank you.

SENATOR MARVEL: Okay, can you close.

SENATOR SIMON: Yes, I'm going to close. It appears now we just have an honest difference of opinion because, as I said, as far as I'm concerned the person that makes changes in the substance, that either puts arsenic in it, or something of this nature, or a person who, in fact, completely substituted and sells something which is what he does not purport to give, to me that is one step lower than the person that is selling the hard core stuff. Since we cannot come to agreement, I would urge that we would reject the amendments and keep the bill intact.

SENATOR MARVEL: We will, in a moment, go from Special Order, the seventh item, to Select File, number 8. Before that I would like to introduce two groups of students in the North balcony, from my district, are 18 senior high students from Roseland, Nebraska with their sponsors Marylou Haggart and