

for dealing in extremely hazardous drugs has been increased from a penalty range of one to twenty years to one to fifty years imprisonment. Drug dealing in other categories of controlled substances would be increased from a maximum of five years imprisonment to a maximum of twenty years imprisonment. In addition to Senator Schmit's provisions found in the first amendment, another area was brought to the attention of the Judiciary Committee pursuant to public hearing held on Senator Schmit's bill last year and pursuant to interim study. In the current law, no distinction is made between marijuana in its natural state and marijuana in its concentrated form, namely, hashish. Disposition of those found to be in possession of less than an ounce of hash or hashish oil is the same as those found to be in possession of less than an ounce of marijuana even though hashish may be thirty to sixty times stronger than marijuana in its natural state. The second amendment of LB 696 would create a statutory distinction between marijuana in its natural state and concentrated forms of marijuana. The third amendment to LB 696 would reinsert language regarding theft of rented or leased property which was left out of the criminal code. The language would create a presumption of intent to deprive if a person fails to return rented or leased property within ten days of the expiration of the rental agreement. Nebraska had a similar law prior to the passage of the criminal code. It was thought at the time that the new theft section was broad enough to include such property. However, a judge in Omaha has interpreted this section to make prosecution for theft of rented or leased property almost impossible. This amendment would reinstate the presumption into the law to solve an extremely serious problem area prosecutors have now in prosecuting those cases involving theft of rented or leased property. I move for the adoption of the committee amendments, Mr. Chairman.

SPEAKER MARVEL: Senator Wesely, do you wish to speak to the committee amendments? Okay. All those in favor of adoption of the committee amendments as explained by Senator Nichol vote aye, opposed no. Have you all voted on the committee amendments? Record the vote.

CLERK: 26 ayes, 1 nay on adoption of the committee amendments, Mr. President.

SPEAKER MARVEL: The committee amendments are adopted. The Chair now recognizes Senator Nichol to close on the motion to advance. The amendments are adopted. Do you have other amendments?