

CLERK: Mr. President, Senator Chambers would move to amend Senator Johnson's amendment. (Read Chambers amendment, FA428, on page 1666 of the Legislative Journal.)

SPEAKER BARRETT: Senator Chambers.

SENATOR CHAMBERS: Mr. Chairman, and members of the Legislature, so you can follow where this is in the Journal, it would be on page 1346, in the first sentence. I have been on the Judiciary Committee ever since I have been in this Legislature and I have seen many well-intentioned efforts to try to change the law to achieve what was felt to be a social good. However, those without experience in these matters will make statements and give speeches of the kind Senator Johnson with which nobody can take exception. However, when you get right down to it, these penalties overlap each other. I would like to ask Senator Lowell Johnson a question.

SPEAKER BARRETT: Senator Johnson, please.

SENATOR CHAMBERS: Senator Johnson, the Class IB felony reads the maximum sentence is life imprisonment with a minimum of 10 years imprisonment.

SENATOR L. JOHNSON: That is correct.

SENATOR CHAMBERS: Is it your opinion that the same act, remember, we are talking about an act that constitutes a crime can be so different in nature or essence that one person ought to get life for it and the other 10 years, isn't that too great a disparity in your opinion? Anything that is that disparate in nature, two things that disparate in nature, are different in essence. They are different acts. You feel that that is not too wide?

SENATOR L. JOHNSON: My feeling at the time, I am sure, was that we are dealing in a very special class, a distinction of crime in selling to or using a minor in that operation of drug trafficking is such the penalty cannot be too severe, in my opinion.

SENATOR CHAMBERS: All right, no, I am asking you does the penalty make sense, 10 years is the minimum. Now if a judge gives a flat sentence, then that is not a minimum, that is the