

state what my amendment would do. It will change the committee amendment. What the committee amendment does is through a conversion table give the weights or amounts of crack cocaine and powder cocaine in grams, rather than speaking of amounts of powder cocaine in ounces and crack cocaine in grams. Both of them are weighed in the same manner, so you know what it is that you are dealing with, and to make the amounts the same. The committee had adopted a proposal which would not only show them both being measured or weighed by grams but would equalize the treatment of them as far as sentencing. Under the present law crack draws a much heavier sentence for a much lesser amount than powder cocaine. The committee, in equalizing these two substances as far as their treatment for sentencing purposes, said that since the punishment for powder cocaine is the punishment established and deemed to be appropriate for dealing with cocaine, we should correct the disparity by doing away with the artificially inflated punishment for crack, deflate it and bring it to the level of powder cocaine. What my amendment would do is to return the committee amendment, which is before us, back to what it originally was before the bill went to committee for the second time, or to the form that Senator Lindsay was going to offer as an amendment on the floor. When the bill went back to the committee, this amendment was added by Senator Pedersen, or at least he persuaded the committee to add it. And what I mean by this amendment is the form which would raise the punishment for powder cocaine to the level of the punishment for crack. You equalize the two, but I don't think you create equity. If the punishment for crack was out of whack and inappropriate because it was excessive, we don't bring about justice by making the punishment for powder cocaine equally excessive and inappropriate. What we need to do, as a Legislature, is take a responsible position, and since nobody in this Legislature has seen the need to even discuss increasing the punishment for powder cocaine, it is clear that the general feeling throughout this state, and probably the country because I am not aware that they've tried to raise the punishment anywhere for powder cocaine, is that the existing level of punishment is suitable for powder cocaine. So since it has been established and the Federal Sentencing Commission has accepted that judges have said, that chemically these two substances are the same, there is no justifiable reason for artificially inflating the punishment for crack and, therefore, they are reducing that to the level of powder cocaine. The Legislature should follow that line of reasoning also. That's what my amendment would do. It would reduce the punishment for crack to