

TRANSCRIPT PREPARED BY THE CLERK OF THE LEGISLATURE  
Transcriber's Office  
FLOOR DEBATE

April 26, 2005      LB 117

be stored behind the counter or in a locked case. It requires the product may only be sold by a person 19 years of age or older. That is the exact same age as is required for the sale of alcohol. It requires...oh, let me go back just a little bit again. The green copy of the bill required that it be a pharmacist or a pharmacist intern selling the product. Now we've...we're suggesting that we make it just a 19-year-old, and I think our friends and colleagues in the rural communities will understand how significant that concession or that change is to your communities. It also requires that the purchaser be at least 18 years of age. That is the same as the purchase of alcohol or, excuse me, the same as purchase of tobacco products. It requires the customer show proof of identification; however, it does not require the retail facility to verify the validity of that I.D. You simply have to show the I.D. There's no requirement now under the committee amendment that you sign a logbook. You simply present an I.D. It limits the amount of product that can be sold to one person to 1,440 milligrams in a 24-hour period. Under current law, a violation of this is a civil penalty of \$50 a day. That's not changed. It limits the amount of product a person can buy through retail to 1,440 milligrams in a 24-hour period. A violation is an infraction. First offense is not more than \$100; second offense in a two-year period is \$100 to \$300; a third offense is \$300 to \$500. The amendment also classifies amphetamine or methamphetamine as an exceptionally hazardous drug. It would be a Class II felony for manufacturing, distributing, delivering, possessing with intent to deliver. A max is 50 years; a minimum is 1 year. That's consistent with other hazardous drugs that we, as a state, have determined are hazardous--cocaine, heroin, things of that nature. It makes uniform the penalties for manufacturing, distributing, delivering, possessing with intent to deliver cocaine, heroin, and methamphetamine: 140 grams or more is a Class IB felony, maximum is life, minimum is 25 years; 100 grams to 499 (sic) grams is a Class IC felony; 10 grams to 28 grams is a Class ID felony; and less than 10 grams is a Class II felony. That is what the committee amendment does. Again, I feel that it was a compromise. We tried to be responsive to retailers and pharmaceutical companies and pharmacists. I think that there are still teeth in this bill and it makes sense, and yet, as is our tradition, we have taken