

AMENDMENTS TO LB 151

Introduced by Stuthman, 22.

1 1. Strike the original sections and all amendments
2 thereto and insert the following new sections:

3 Section 1. Section 28-405, Reissue Revised Statutes of
4 Nebraska, is amended to read:

5 28-405 The following are the schedules of controlled
6 substances referred to in the Uniform Controlled Substances Act:

7 Schedule I

8 (a) Any of the following opiates, including their
9 isomers, esters, ethers, salts, and salts of isomers, esters, and
10 ethers, unless specifically excepted, whenever the existence of
11 such isomers, esters, ethers, and salts is possible within the
12 specific chemical designation:

13 (1) Acetylmethadol;

14 (2) Allylprodine;

15 (3) Alphacetylmethadol, except levo-alphacetylmethadol
16 which is also known as levo-alpha-acetylmethadol, levomethadyl
17 acetate, and LAAM;

18 (4) Alphameprodine;

19 (5) Alphamethadol;

20 (6) Benzethidine;

21 (7) Betacetylmethadol;

22 (8) Betameprodine;

23 (9) Betamethadol;

- 1 (10) Betaprodine;
- 2 (11) Clonitazene;
- 3 (12) Dextromoramide;
- 4 (13) Difenoquin;
- 5 (14) Diampromide;
- 6 (15) Diethylthiambutene;
- 7 (16) Dimenoxadol;
- 8 (17) Dimepheptanol;
- 9 (18) Dimethylthiambutene;
- 10 (19) Dioxaphetyl butyrate;
- 11 (20) Dipipanone;
- 12 (21) Ethylmethylthiambutene;
- 13 (22) Etonitazene;
- 14 (23) Etozeridine;
- 15 (24) Furethidine;
- 16 (25) Hydroxypethidine;
- 17 (26) Ketobemidone;
- 18 (27) Levomoramide;
- 19 (28) Levophenacymorphan;
- 20 (29) Morpheridine;
- 21 (30) Noracymethadol;
- 22 (31) Norlevorphanol;
- 23 (32) Normethadone;
- 24 (33) Norpipanone;
- 25 (34) Phenadoxone;
- 26 (35) Phenampromide;
- 27 (36) Phenomorphan;

- 1 (37) Phenoperidine;
- 2 (38) Piritramide;
- 3 (39) Proheptazine;
- 4 (40) Properidine;
- 5 (41) Propiram;
- 6 (42) Racemoramide;
- 7 (43) Trimeperidine;
- 8 (44) Alpha-methylfentanyl,
9 N-(1-(alpha-methyl-beta-phenyl)ethyl-4-piperidyl) propionanilide,
10 1-(1-methyl-2-phenylethyl)-4-(N-propanilido) piperidine;
- 11 (45) Tilidine;
- 12 (46) 3-Methylfentanyl,
13 N-(3-methyl-1-(2-phenylethyl)-4-piperidyl)-N-phenylpropanamide, its
14 optical and geometric isomers, salts, and salts of isomers;
- 15 (47) 1-methyl-4-phenyl-4-propionoxypiperidine (MPPP), its
16 optical isomers, salts, and salts of isomers;
- 17 (48) PEPAP
18 ~~(1-(2-phenethyl)-4-phenyl-4-acetoxypiperidine),~~
19 1-(2-phenethyl)-4-phenyl-4-acetoxypiperidine, its optical
20 isomers, salts, and salts of isomers;
- 21 (49) Acetyl-alpha-methylfentanyl,
22 N-(1-(1-methyl-2-phenethyl)-4-piperidinyl)-N-phenylacetamide,
23 ~~(N-(1-(1-methyl-2-phenethyl)-4-piperidinyl)-N-phenylacetamide),~~ its
24 optical isomers, salts, and salts of isomers;
- 25 (50) Alpha-methylthiofentanyl,
26 N-(1-methyl-2-(2-thienyl)ethyl-4-piperidinyl)-N-phenylpropanamide,
27 ~~(N-(1-methyl-2-(2-thienyl)ethyl-4-piperidinyl)-N-phenylpropanamide),~~

1 its optical isomers, salts, and salts of isomers;

2 (51) Benzylfentanyl_L

3 N-(1-benzyl-4-piperidyl)-N-phenylpropanamide_L

4 ~~(N-(1-benzyl-4-piperidyl)-N-phenylpropanamide)~~_T its optical

5 isomers, salts, and salts of isomers;

6 (52) Beta-hydroxyfentanyl_L

7 N-(1-(2-hydroxy-2-phenethyl)-4-piperidinyl)-N-phenylpropanamide_L

8 ~~(N-(1-(2-hydroxy-2-phenethyl)-4-piperidinyl)-N-phenylpropanamide)~~_T

9 its optical isomers, salts, and salts of isomers;

10 (53) Beta-hydroxy-3-methylfentanyl_L (other name:

11 N-(1-(2-hydroxy-2-phenethyl)-3-methyl-4-piperidinyl)-N-phenylpropanamide),

12 its optical and geometric isomers, salts, and salts of isomers;

13 (54) 3-methylthiofentanyl_L

14 N-(3-methyl-1-(2-thienyl)ethyl-4-piperidinyl)-N-phenylpropanamide_L

15 ~~(N-(3-methyl-1-(2-thienyl)ethyl-4-piperidinyl)-N-phenylpropanamide)~~_T

16 its optical and geometric isomers, salts, and salts of isomers;

17 (55)

18 N-(1-(2-thienyl)methyl-4-piperidyl)-N-phenylpropanamide

19 (thenylfentanyl), its optical isomers, salts, and salts of isomers;

20 (56) Thiofentanyl_L

21 N-phenyl-N-(1-(2-thienyl)ethyl-4-piperidinyl)-propanamide_L

22 ~~(N-phenyl-N-(1-(2-thienyl)ethyl-4-piperidinyl)-propanamide)~~_T its

23 optical isomers, salts, and salts of isomers; and

24 (57) Para-fluorofentanyl_L

25 N-(4-fluorophenyl)-N-(1-(2-phenethyl)-4-piperidinyl)propanamide_L

26 ~~(N-(4-fluorophenyl)-N-(1-(2-phenethyl)-4-piperidinyl)propanamide)~~_T

27 its optical isomers, salts, and salts of isomers.

1 (b) Any of the following opium derivatives, their salts,
2 isomers, and salts of isomers, unless specifically excepted,
3 whenever the existence of such salts, isomers, and salts of
4 isomers is possible within the specific chemical designation:

- 5 (1) Acetorphine;
- 6 (2) Acetyldihydrocodeine;
- 7 (3) Benzylmorphine;
- 8 (4) Codeine methylbromide;
- 9 (5) Codeine-N-Oxide;
- 10 (6) Cyprenorphine;
- 11 (7) Desomorphine;
- 12 (8) Dihydromorphine;
- 13 (9) Drotebanol;
- 14 (10) Etorphine, except hydrochloride salt;
- 15 (11) Heroin;
- 16 (12) Hydromorphanol;
- 17 (13) Methyldesorphine;
- 18 (14) Methyldihydromorphine;
- 19 (15) Morphine methylbromide;
- 20 (16) Morphine methylsulfonate;
- 21 (17) Morphine-N-Oxide;
- 22 (18) Myrophine;
- 23 (19) Nicocodeine;
- 24 (20) Nicomorphine;
- 25 (21) Normorphine;
- 26 (22) Pholcodine; and
- 27 (23) Thebacon.

1 (c) Any material, compound, mixture, or preparation which
2 contains any quantity of the following hallucinogenic substances,
3 their salts, isomers, and salts of isomers, unless specifically
4 excepted, whenever the existence of such salts, isomers, and salts
5 of isomers is possible within the specific chemical designation,
6 and, for purposes of this subdivision only, isomer shall include
7 the optical, position, and geometric isomers:

8 (1) Bufotenine. Trade and other names shall include, but
9 are not limited to: ~~3-(B-Dimethylaminoethyl)-5-hydroxyindole;~~
10 3-(beta-Dimethylaminoethyl)-5-hydroxyindole;
11 3-(2-dimethylaminoethyl)-5-indolol; N,N-dimethylserotonin;
12 5-hydroxy-N,N-dimethyltryptamine; and mappine;

13 (2) Diethyltryptamine. Trade and other names shall
14 include, but are not limited to: ~~N,N-diethyltryptamine;~~
15 N,N-Diethyltryptamine; and DET;

16 (3) Dimethyltryptamine. Trade and other names shall
17 include, but are not limited to: DMT;

18 (4) 4-bromo-2,5-dimethoxyamphetamine. Trade
19 and other names shall include, but are not limited
20 to: ~~4-bromo-2, 5-dimethoxy-a-methylphenethylamine;~~
21 4-bromo-2,5-dimethoxy-alpha-methylphenethylamine; and
22 4-bromo-2,5-DMA;

23 (5) 4-methoxyamphetamine. Trade and other names shall
24 include, but are not limited to: ~~4-methoxy-a-methyl-phenethylamine;~~
25 4-methoxy-alpha-methylphenethylamine; and paramethoxyamphetamine,
26 PMA;

27 (6) ~~4-methyl-2, 5-dimethoxyamphetamine.~~

1 4-methyl-2,5-dimethoxyamphetamine. Trade and other
2 names shall include, but are not limited
3 to:

4 4-methyl-2,5-dimethoxy-alpha-methylphenethylamine; DOM; and STP;

5 (7) 5-methoxy-N-N, dimethyltryptamine;

6 (8) Ibogaine. Trade and other names
7 shall include, but are not limited to:

8 ~~7-ethyl-6,6B,7,8,9,10,12,13-octahydro-2-methoxy-6,9-methano-5H-pyrido~~

9 7-Ethyl-6,6beta,7,8,9,10,12,13-octahydro-2-methoxy-6,9-methano-5H-pyrido

10 (1',2':1,2) azepino (5,4-b) indole; and ~~tabernanthe~~

11 Tabernanthe iboga;

12 (9) Lysergic acid diethylamide;

13 (10) Marijuana;

14 (11) Mescaline;

15 (12) Peyote. Peyote shall mean all parts of the plant
16 presently classified botanically as *Lophophora williamsii* Lemaire,
17 whether growing or not, the seeds thereof, any extract from
18 any part of such plant, and every compound, manufacture, salts,
19 derivative, mixture, or preparation of such plant or its seeds or
20 extracts;

21 (13) Psilocybin;

22 (14) Psilocyn;

23 (15) Tetrahydrocannabinols, including, but not limited
24 to, synthetic equivalents of the substances contained in the plant
25 or in the resinous extractives of *cannabis*, sp. or synthetic
26 substances, derivatives, and their isomers with similar chemical
27 structure and pharmacological activity such as the following: Delta

1 1 cis or trans tetrahydrocannabinol and their optical isomers,
2 excluding dronabinol in sesame oil and encapsulated in a soft
3 gelatin capsule in a drug product approved by the federal Food
4 and Drug Administration; Delta 6 cis or trans tetrahydrocannabinol
5 and their optical isomers; and Delta 3,4 cis or trans
6 tetrahydrocannabinol and its optical isomers. Since nomenclature
7 of these substances is not internationally standardized, compounds
8 of these structures shall be included regardless of the numerical
9 designation of atomic positions covered;

10 (16) 3,4-methylenedioxy amphetamine;

11 (17) ~~5-methoxy-3,4-methylenedioxy amphetamine;~~

12 5-methoxy-3,4-methylenedioxy-amphetamine;

13 (18) 3,4,5-trimethoxy amphetamine;

14 (19) N-ethyl-3-piperidyl benzilate;

15 (20) N-methyl-3-piperidyl benzilate;

16 (21) Thiophene analog of phencyclidine. Trade
17 and other names shall include, but are not limited to:
18 1-(1-(2-thienyl)-cyclohexyl)-piperidine; 2-thienyl analog of
19 phencyclidine; TCP; and TCP;

20 (22) 2,5-dimethoxyamphetamine. Trade

21 and other names shall include, but are not
22 limited to: ~~2,5-dimethoxy-alpha-methylphenethylamine;~~
23 2,5-dimethoxy-alpha-methylphenethylamine; and 2,5-DMA;

24 (23) Hashish or concentrated cannabis;

25 (24) Parahexyl. Trade and other names shall include, but
26 are not limited to: ~~3-Hexyl-1-hydroxy-7,8,9,10-tetrahydro-6,6,~~
27 ~~9-trimethyl-6H-dibenzo(b,d)pyran;~~ and ~~synhexyl;~~

1 3-Hexyl-1-hydroxy-7,8,9,10-tetrahydro-6,6,9-trimethyl-6H-dibenzo(b,d)pyran;
2 and Synhexyl;

3 (25) Ethylamine analog of phencyclidine. Trade
4 and other names shall include, but are not limited to:
5 N-ethyl-1-phenylcyclohexylamine; (1-phenylcyclohexyl)ethylamine;
6 N-(1-phenylcyclohexyl)ethylamine; cyclohexamine; and PCE;

7 (26) Pyrrolidine analog of phencyclidine. Trade
8 and other names shall include, but are not limited to:
9 1-(1-phenylcyclohexyl)-pyrrolidine; PCPy; and PHP;

10 (27) 3,4-methylenedioxyamphetamine (MDMA), its
11 optical, positional, and geometric isomers, salts, and salts of
12 isomers;

13 (28) ~~4-bromo-2,5-dimethoxyphenethylamine.~~
14 4-Bromo-2,5-dimethoxyphenethylamine. Some trade or other names:
15 2-(4-bromo-2,5-dimethoxyphenyl)-1-aminoethane; alpha-desmethyl DOB;
16 2C-B; and Nexus;

17 (29) Alpha-ethyltryptamine. Some trade or other
18 names: ~~etryptamine; Monase; alpha-ethyl-1H-indole-3-ethanamine;~~
19 alpha-ethyl-1H-indole-3-ethanamine; 3-(2-aminobutyl) indole;
20 alpha-ET; and AET;

21 (30) 2,5-dimethoxy-4-ethylamphet-amine; and DOET;

22 (31) 1-(1-(2-thienyl)cyclohexyl)pyrrolidine; and TCPy;

23 (32) Alpha-methyltryptamine, which is also known as AMT;

24 and

25 (33) ~~5-Methoxy-N, N-diisopropyltryptamine,~~
26 5-Methoxy-N,N-diisopropyltryptamine, which is also known as
27 5-MeO-DIPT.

1 (d) Unless specifically excepted or unless listed in
2 another schedule, any material, compound, mixture, or preparation
3 which contains any quantity of the following substances having
4 a depressant effect on the central nervous system, including its
5 salts, isomers, and salts of isomers whenever the existence of
6 such salts, isomers, and salts of isomers is possible within the
7 specific chemical designation:

8 (1) Mecloqualone;

9 (2) Methaqualone; and

10 (3) ~~Gamma-hydroxybutyric acid.~~ Gamma-Hydroxybutyric
11 Acid. Some other names include: GHB; ~~gamma-hydroxybutyrate;~~
12 ~~4-hydroxybutyrate;~~ ~~4-hydroxybutanoic acid;~~ ~~sodium oxybate;~~ and
13 ~~sodium oxybutyrate.~~ Gamma-hydroxybutyrate; 4-Hydroxybutyrate;
14 4-Hydroxybutanoic Acid; Sodium Oxybate; and Sodium Oxybutyrate.

15 (e) Unless specifically excepted or unless listed in
16 another schedule, any material, compound, mixture, or preparation
17 which contains any quantity of the following substances having
18 a stimulant effect on the central nervous system, including its
19 salts, isomers, and salts of isomers:

20 (1) Fenethylline;

21 (2) N-ethylamphetamine;

22 (3) Aminorex; aminoxaphen; 2-amino-5-phenyl-2-oxazoline;
23 ~~and~~ or 4,5-dihydro-5-phenyl-2-oxazolamine;

24 (4) Cathinone; 2-amino-1-phenyl-1-propanone;
25 alpha-aminopropiophenone; 2-aminopropiophenone; and norephedrone;

26 (5) Methcathinone, its salts, optical isomers,
27 and salts of optical isomers. Some other names:

1 2-(methylamino)-propiofenone; alpha-(methylamino)propiofenone;
2 2-(methylamino)-1-phenylpropan-1-one;
3 alpha-N-methylaminopropiofenone; methylcathinone;
4 monomethylpropion; ephedrone; N-methylcathinone; AL-464; AL-422;
5 AL-463; and UR1432;

6 (6) (+/-) cis-4-methylaminorex; and
7 (+/-) cis-4,5-dihydro-4-methyl-5-phenyl-2-oxazolamine;
8 and

9 (7) N,N-dimethylamphetamine;
10 N,N-alpha-trimethyl-benzeneethanamine; and
11 N,N-alpha-trimethylphenethylamine.

12 (f) Any controlled substance analogue to the extent
13 intended for human consumption.

14 Schedule II

15 (a) Any of the following substances except those narcotic
16 drugs listed in other schedules whether produced directly or
17 indirectly by extraction from substances of vegetable origin,
18 independently by means of chemical synthesis, or by combination of
19 extraction and chemical synthesis:

20 (1) Opium and opiate, and any salt, compound, derivative,
21 or preparation of opium or opiate, excluding apomorphine,
22 buprenorphine, thebaine-derived butorphanol, dextrorphan,
23 nalbuphine, nalmeffene, naloxone, and naltrexone and their
24 salts, but including the following:

25 (i) Raw opium;

26 (ii) Opium extracts;

27 (iii) Opium fluid;

- 1 (iv) Powdered opium;
- 2 (v) Granulated opium;
- 3 (vi) Tincture of opium;
- 4 (vii) Codeine;
- 5 (viii) Ethylmorphine;
- 6 (ix) Etorphine hydrochloride;
- 7 (x) Hydrocodone;
- 8 (xi) Hydromorphone;
- 9 (xii) Metopon;
- 10 (xiii) Morphine;
- 11 (xiv) Oxycodone;
- 12 (xv) Oxymorphone;
- 13 (xvi) Oripavine;
- 14 (xvii) Thebaine; and
- 15 (xviii) Dihydroetorphine;
- 16 (2) Any salt, compound, derivative, or preparation
- 17 thereof which is chemically equivalent to or identical with any of
- 18 the substances referred to in subdivision (1) of this subdivision,
- 19 except that these substances shall not include the isoquinoline
- 20 alkaloids of opium;
- 21 (3) Opium poppy and poppy straw;
- 22 (4) Coca leaves and any salt, compound, derivative, or
- 23 preparation of coca leaves, and any salt, compound, derivative,
- 24 or preparation thereof which is chemically equivalent to or
- 25 identical with any of these substances, including cocaine and
- 26 its salts, optical isomers, and salts of optical isomers, except
- 27 that the substances shall not include decocainized coca leaves or

1 extractions which do not contain cocaine or ecgonine; and

2 (5) Concentrate of poppy straw, the crude extract of
3 poppy straw in either liquid, solid, or powder form which contains
4 the phenanthrene alkaloids of the opium poppy.

5 (b) Unless specifically excepted or unless in another
6 schedule any of the following opiates, including their isomers,
7 esters, ethers, salts, and salts of their isomers, esters, and
8 ethers whenever the existence of such isomers, esters, ethers,
9 and salts is possible within the specific chemical designation,
10 dextrorphan excepted:

11 (1) Alphaprodine;

12 (2) Anileridine;

13 (3) Bezitramide;

14 (4) Diphenoxylate;

15 (5) Fentanyl;

16 (6) Isomethadone;

17 (7) Levomethorphan;

18 (8) Levorphanol;

19 (9) Metazocine;

20 (10) Methadone;

21 (11) ~~Methadone-Intermediate,~~ Methadone-intermediate,

22 4-cyano-2-dimethylamino-4,4-diphenyl butane;

23 (12) Moramide-intermediate,

24 2-methyl-3-morpholino-1,1-diphenylpropane-carboxylic acid;

25 (13) Pethidine or meperidine;

26 (14) Pethidine-Intermediate-A,

27 4-cyano-1-methyl-4-phenylpiperidine;

- 1 (15) Pethidine-Intermediate-B,
2 ethyl-4-phenylpiperidine-4-carboxylate;
3 (16) Pethidine-Intermediate-C,
4 1-methyl-4-phenylpiperidine-4-carboxylic acid;
5 (17) Phenazocine;
6 (18) Piminodine;
7 (19) Racemethorphan;
8 (20) Racemorphan;
9 (21) Dihydrocodeine;
10 (22) Bulk ~~propoxyphene~~ Dextropropoxyphene in nondosage
11 forms;
12 (23) Sufentanil;
13 (24) Alfentanil;
14 (25) Levo-alpha-acetylmethadol which is also known as
15 levo-alpha-acetylmethadol, levomethadyl acetate, and LAAM;
16 (26) Carfentanil; and
17 (27) Remifentanil.
18 (c) Any material, compound, mixture, or preparation
19 which contains any quantity of the following substances having
20 a potential for abuse associated with a stimulant effect on the
21 central nervous system:
22 (1) Amphetamine, its salts, optical isomers, and salts of
23 its optical isomers;
24 (2) Phenmetrazine and its salts;
25 (3) Methamphetamine, its salts, isomers, and salts of its
26 isomers; and
27 (4) Methylphenidate.

1 (d) Any material, compound, mixture, or preparation
2 which contains any quantity of the following substances having
3 a potential for abuse associated with a depressant effect on the
4 central nervous system, including their salts, isomers, and salts
5 of isomers whenever the existence of such salts, isomers, and salts
6 of isomers is possible within the specific chemical designations:

- 7 (1) Amobarbital;
8 (2) Secobarbital;
9 (3) Pentobarbital;
10 (4) Phencyclidine; and
11 (5) Glutethimide.

12 (e) Hallucinogenic substances known as:

- 13 (1) Nabilone. Another name for

14 nabilone: (+/-)-trans-3-(1,1-dimethylheptyl)-

15 ~~6,6a,7,8,10,10a-hexahydro-1-hydroxy-6,6-dimethyl-9H-dibenzo(b,d)pyran-9-one.~~

16 6,6a,7,8,10,10a-Hexahydro-1-hydroxy-6,6-dimethyl-9H-dibenzo(b,d)pyran-9-one.

17 (f) Unless specifically excepted or unless listed in
18 another schedule, any material, compound, mixture, or preparation
19 which contains any quantity of the following substances:

- 20 (1) Immediate precursor to amphetamine and
21 methamphetamine: Phenylacetone. Trade and other names shall
22 include, but are not limited to: Phenyl-2-propanone; P2P; benzyl
23 methyl ketone; and methyl benzyl ketone; or

24 (2) Immediate precursors to phencyclidine, PCP:

25 (i) 1-phenylcyclohexylamine; or

26 (ii) 1-piperidinocyclohexanecarbonitrile, PCC.

27 Schedule III

1 (a) Any material, compound, mixture, or preparation
2 which contains any quantity of the following substances having
3 a potential for abuse associated with a stimulant effect on the
4 central nervous system, including their salts, isomers, whether
5 optical, position, or geometric, and salts of such isomers whenever
6 the existence of such salts, isomers, and salts of isomers is
7 possible within the specific chemical designation:

- 8 (1) Benzphetamine;
9 (2) Chlorphentermine;
10 (3) Clortermine; and
11 (4) Phendimetrazine.

12 (b) Any material, compound, mixture, or preparation
13 which contains any quantity of the following substances having
14 a potential for abuse associated with a depressant effect on the
15 central nervous system:

- 16 (1) Any substance which contains any quantity of a
17 derivative of barbituric acid or any salt of a derivative of
18 barbituric acid, except those substances which are specifically
19 listed in other schedules of this section;
20 (2) Chlorhexadol;
21 (3) Lysergic acid;
22 (4) Lysergic acid amide;
23 (5) Methyprylon;
24 (6) Sulfondiethylmethane;
25 (7) Sulfonethylmethane;
26 (8) Sulfonmethane;
27 (9) Nalorphine;

1 (10) Any compound, mixture, or preparation containing
2 amobarbital, secobarbital, pentobarbital, or any salt thereof and
3 one or more other active medicinal ingredients which are not listed
4 in any schedule;

5 (11) Any suppository dosage form containing amobarbital,
6 secobarbital, pentobarbital, or any salt of any of these drugs and
7 approved by the Food and Drug Administration for marketing only as
8 a suppository;

9 (12) Any drug product containing gamma-hydroxybutyric
10 acid, including its salts, isomers, and salts of isomers, for which
11 an application is approved under section 505 of the Federal Food,
12 Drug, and Cosmetic Act, 21 U.S.C. 355, as such section existed on
13 July 20, 2002;

14 (13) Ketamine, its salts, isomers, and
15 salts of isomers. Some other names for ketamine:
16 (+/-)-2-(2-chlorophenyl)-2-(methylamino)-cyclohexanone; and

17 (14) Tiletamine and zolazepam or any salt thereof.
18 Trade or other names for a tiletamine-zolazepam combination
19 product shall include, but are not limited to: telazol. Trade
20 or other names for tiletamine shall include, but are not
21 limited to: 2-(ethylamino)-2-(2-thienyl)-cyclohexanone. Trade or
22 other names for zolazepam shall include, but are not limited
23 to: 4-(2-fluorophenyl)-6,8-dihydro-1,3,8-trimethylpyrazolo-(3,4-e)
24 (1,4)-diazepin-7(1H)-one, and flupyrazapon.

25 (c) Unless specifically excepted or unless listed in
26 another schedule:

27 (1) Any material, compound, mixture, or preparation

1 containing limited quantities of any of the following narcotic
2 drugs, or any salts calculated as the free anhydrous base or
3 alkaloid, in limited quantities as set forth below:

4 (i) Not more than one and eight-tenths grams of codeine
5 per one hundred milliliters or not more than ninety milligrams per
6 dosage unit, with an equal or greater quantity of an isoquinoline
7 alkaloid of opium;

8 (ii) Not more than one and eight-tenths grams of codeine
9 per one hundred milliliters or not more than ninety milligrams per
10 dosage unit, with one or more active, nonnarcotic ingredients in
11 recognized therapeutic amounts;

12 (iii) Not more than three hundred milligrams of
13 dihydrocodeinone which is also known as hydrocodone per one hundred
14 milliliters or not more than fifteen milligrams per dosage unit,
15 with a fourfold or greater quantity of an isoquinoline alkaloid of
16 opium;

17 (iv) Not more than three hundred milligrams of
18 dihydrocodeinone which is also known as hydrocodone per one hundred
19 milliliters or not more than fifteen milligrams per dosage unit,
20 with one or more active, nonnarcotic ingredients in recognized
21 therapeutic amounts;

22 (v) Not more than one and eight-tenths grams of
23 dihydrocodeine per one hundred milliliters or not more than ninety
24 milligrams per dosage unit, with one or more active, nonnarcotic
25 ingredients in recognized therapeutic amounts;

26 (vi) Not more than three hundred milligrams of
27 ethylmorphine per one hundred milliliters or not more than fifteen

1 milligrams per dosage unit, with one or more active, nonnarcotic
2 ingredients in recognized therapeutic amounts;

3 (vii) Not more than five hundred milligrams of opium per
4 one hundred milliliters or per one hundred grams, or not more than
5 twenty-five milligrams per dosage unit, with one or more active,
6 nonnarcotic ingredients in recognized therapeutic amounts; and

7 (viii) Not more than fifty milligrams of morphine per
8 one hundred milliliters or per one hundred grams with one or more
9 active, nonnarcotic ingredients in recognized therapeutic amounts;
10 and

11 (2) Any material, compound, mixture, or preparation
12 containing any of the following narcotic drug or its salts, as
13 set forth below:

14 (i) Buprenorphine.

15 (d) Unless contained on the administration's list of
16 exempt anabolic steroids as the list existed on June 1, 2007,
17 any anabolic steroid, which shall include any material, compound,
18 mixture, or preparation containing any quantity of the following
19 substances, including its salts, isomers, and salts of isomers
20 whenever the existence of such salts of isomers is possible within
21 the specific chemical designation:

22 (1) Boldenone;

23 (2) Chlorotestosterone (4-chlortestosterone);

24 (3) Clostebol;

25 (4) ~~Dehydrochlormethyltestosterone;~~
26 Dehydrochloromethyltestosterone;

27 (5) Dihydrotestosterone (4-dihydrotestosterone);

- 1 (6) Drostanolone;
- 2 (7) Ethylestrenol;
- 3 (8) Fluoxymesterone;
- 4 (9) Formebolone (formebolone);
- 5 (10) Mesterolone;
- 6 (11) Methandienone;
- 7 (12) Methandranone;
- 8 (13) Methandriol;
- 9 (14) Methandrostenolone;
- 10 (15) Methenolone;
- 11 (16) Methyltestosterone;
- 12 (17) Mibolerone;
- 13 (18) Nandrolone;
- 14 (19) Norethandrolone;
- 15 (20) Oxandrolone;
- 16 (21) Oxymesterone;
- 17 (22) Oxymetholone;
- 18 (23) Stanolone;
- 19 (24) Stanozolol;
- 20 (25) Testolactone;
- 21 (26) Testosterone;
- 22 (27) Trenbolone; and
- 23 (28) Any salt, ester, or ~~isomer~~ ether of a drug or
- 24 substance described or listed in this subdivision if the salt,
- 25 ester, or ~~isomer~~ ether promotes muscle growth.
- 26 (e) Hallucinogenic substances known as:
- 27 (1) Dronabinol, synthetic, in sesame oil and encapsulated

1 in a soft gelatin capsule in a Food and Drug Administration
2 approved drug product. Some other names for dronabinol are
3 (6aR-trans)-6a,7,8,10a-tetrahydro-6,6,9-trimethyl-3-pentyl-6H-dibenzo
4 ~~(b,d)pyran-1-ol~~ (b,d)pyran-1-ol or
5 (-)-delta-9-(trans)-tetrahydrocannabinol.

6 Schedule IV

7 (a) Any material, compound, mixture, or preparation which
8 contains any quantity of the following substances, including their
9 salts, isomers, and salts of isomers whenever the existence of
10 such salts, isomers, and salts of isomers is possible within the
11 specific chemical designation:

- 12 (1) Barbital;
- 13 (2) Chloral betaine;
- 14 (3) Chloral hydrate;
- 15 (4) Chlordiazepoxide, but not including librax
16 (chlordiazepoxide hydrochloride and clindinium bromide) or menrium
17 (chlordiazepoxide and water soluble esterified estrogens);
- 18 (5) Clonazepam;
- 19 (6) Clorazepate;
- 20 (7) Diazepam;
- 21 (8) Ethchlorvynol;
- 22 (9) Ethinamate;
- 23 (10) Flurazepam;
- 24 (11) Mebutamate;
- 25 (12) Meprobamate;
- 26 (13) Methohexital;
- 27 (14) Methylphenobarbital;

- 1 (15) Oxazepam;
- 2 (16) Paraldehyde;
- 3 (17) Petrichloral;
- 4 (18) Phenobarbital;
- 5 (19) Prazepam;
- 6 (20) Alprazolam;
- 7 (21) Bromazepam;
- 8 (22) Camazepam;
- 9 (23) Clobazam;
- 10 (24) Clotiazepam;
- 11 (25) Cloxazolam;
- 12 (26) Delorazepam;
- 13 (27) Estazolam;
- 14 (28) Ethyl loflazepate;
- 15 (29) Fludiazepam;
- 16 (30) Flunitrazepam;
- 17 (31) Halazepam;
- 18 (32) Haloxazolam;
- 19 (33) Ketazolam;
- 20 (34) Loprazolam;
- 21 (35) Lorazepam;
- 22 (36) Lormetazepam;
- 23 (37) Medazepam;
- 24 (38) Nimetazepam;
- 25 (39) Nitrazepam;
- 26 (40) Nordiazepam;
- 27 (41) Oxazolam;

- 1 (42) Pinazepam;
- 2 (43) Temazepam;
- 3 (44) Tetrazepam;
- 4 (45) Triazolam;
- 5 (46) Midazolam;
- 6 (47) Quazepam;
- 7 (48) Zolpidem;
- 8 (49) Dichloralphenazone; and
- 9 (50) Zaleplon.

10 (b) Any material, compound, mixture, or preparation which
11 contains any quantity of the following substance, including its
12 salts, isomers, whether optical, position, or geometric, and salts
13 of such isomers, whenever the existence of such salts, isomers, and
14 salts of isomers is possible: Fenfluramine.

15 (c) Unless specifically excepted or unless listed in
16 another schedule, any material, compound, mixture, or preparation
17 which contains any quantity of the following substances having a
18 stimulant effect on the central nervous system, including their
19 salts, isomers, whether optical, position, or geometric, and salts
20 of such isomers whenever the existence of such salts, isomers,
21 and salts of isomers is possible within the specific chemical
22 designation:

- 23 (1) Diethylpropion;
- 24 (2) Phentermine;
- 25 (3) Pemoline, including organometallic complexes and
26 chelates thereof;
- 27 (4) Mazindol;

1 (5) Pipradrol;

2 (6) SPA, ((-)-1-dimethylamino- 1,2-diphenylethane);

3 (7) Cathine. Another name for cathine is
4 ((+)-norpseudoephedrine);

5 (8) Fencamfamin;

6 (9) Fenproporex;

7 (10) Mefenorex;

8 (11) Modafinil; and

9 (12) Sibutramine.

10 (d) Unless specifically excepted or unless listed in
11 another schedule, any material, compound, mixture, or preparation
12 which contains any quantity of the following narcotic drugs, or
13 their salts or isomers calculated as the free anhydrous base or
14 alkaloid, in limited quantities as set forth below:

15 (1) ~~Propoxyphene~~ Dextropropoxyphene in manufactured
16 dosage forms; and

17 (2) Not more than one milligram of difenoxin and not less
18 than twenty-five micrograms of atropine sulfate per dosage unit.

19 (e) Unless specifically excepted or unless listed in
20 another schedule, any material, compound, mixture, or preparation
21 which contains any quantity of the following substance, including
22 its salts: Pentazocine.

23 (f) Unless specifically excepted or unless listed in
24 another schedule, any material, compound, mixture, or preparation
25 which contains any quantity of the following substance, including
26 its salts, isomers, and salts of such isomers: Butorphanol.

27 (g) (1) Unless specifically excepted or unless listed in

1 another schedule, any material, compound, mixture, or preparation
2 which contains any quantity of the following substance, including
3 its salts, optical isomers, and salts of such optical isomers:
4 Ephedrine.

5 (2) The following drug products containing ephedrine,
6 its salts, optical isomers, and salts of such optical isomers,
7 are excepted from subdivision (g)(1) of Schedule IV if they may
8 lawfully be sold over the counter without a prescription under
9 the Federal Food, Drug, and Cosmetic Act, as the act existed on
10 September 1, 2001; (A) are stored behind a counter, in an area not
11 accessible to customers, or in a locked case so that a customer
12 needs assistance from an employee to access the drug product;
13 (B) are sold by a person, eighteen years of age or older, in
14 the course of his or her employment to a customer eighteen years
15 of age or older with the following restrictions: No customer
16 shall be allowed to purchase, receive, or otherwise acquire
17 more than three and six-tenths grams of ephedrine base during
18 a twenty-four-hour period; no customer shall purchase, receive, or
19 otherwise acquire more than nine grams of ephedrine base during
20 a thirty-day period; and the customer shall display a valid
21 driver's or operator's license, a Nebraska state identification
22 card, a military identification card, an alien registration card,
23 or a passport as proof of identification; (C) are labeled and
24 marketed in a manner consistent with the pertinent OTC Tentative
25 Final or Final Monograph; (D) are manufactured and distributed for
26 legitimate medicinal use in a manner that reduces or eliminates
27 the likelihood of abuse; and (E) are not marketed, advertised, or

1 represented in any manner for the indication of stimulation, mental
2 alertness, euphoria, ecstasy, a buzz or high, heightened sexual
3 performance, or increased muscle mass:

4 ~~(A) (i) Primatene Tablets;~~

5 ~~(B) (ii) Bronkaid Dual Action Caplets; and~~

6 ~~(C) (iii) Pazo Hemorrhoidal Ointment.~~

7 ~~(3) Food and dietary supplements described in 21 U.S.C.~~
8 ~~321, as such section existed on September 1, 2001, containing~~
9 ~~ephedrine, including its salts, optical isomers, and salts of such~~
10 ~~optical isomers, are excepted from subdivision (g)(1) of Schedule~~
11 ~~IV if:~~

12 ~~(A) They are labeled in a manner consistent with section~~
13 ~~28-448 and bear the statements: "This statement has not been~~
14 ~~evaluated by the Food and Drug Administration. This product is not~~
15 ~~intended to diagnose, treat, cure, or prevent any disease."~~

16 ~~(B) Any dosage form of the food or dietary supplements~~
17 ~~(i) does not contain any hydrochloride or sulfate salts of~~
18 ~~ephedrine alkaloids, (ii) does not contain more than twenty-five~~
19 ~~milligrams of ephedrine alkaloids, and (iii) does not contain~~
20 ~~ephedrine alkaloids in excess of five percent of the total capsule~~
21 ~~weight;~~

22 ~~(C) They are not marketed, advertised, or represented in~~
23 ~~any manner for the indication of stimulation, mental alertness,~~
24 ~~euphoria, ecstasy, a buzz or high, heightened sexual performance,~~
25 ~~or increased muscle mass; and~~

26 ~~(D) Analysis of the product is provided to the department~~
27 ~~to ensure that the product meets the requirements of subdivision~~

1 ~~(g) (3) (B) of Schedule IV.~~

2 Schedule V

3 (a) Any compound, mixture, or preparation containing any
4 of the following limited quantities of narcotic drugs or salts
5 calculated as the free anhydrous base or alkaloid, which shall
6 include one or more nonnarcotic active medicinal ingredients in
7 sufficient proportion to confer upon the compound, mixture, or
8 preparation valuable medicinal qualities other than those possessed
9 by the narcotic drug alone:

10 (1) Not more than two hundred milligrams of codeine per
11 one hundred milliliters or per one hundred grams;

12 (2) Not more than one hundred milligrams of
13 dihydrocodeine per one hundred milliliters or per one hundred
14 grams;

15 (3) Not more than one hundred milligrams of ethylmorphine
16 per one hundred milliliters or per one hundred grams;

17 (4) Not more than two and five-tenths milligrams of
18 diphenoxylate and not less than twenty-five micrograms of atropine
19 sulfate per dosage unit;

20 (5) Not more than one hundred milligrams of opium per one
21 hundred milliliters or per one hundred grams; and

22 (6) Not more than five-tenths milligram of difenoxin and
23 not less than twenty-five micrograms of atropine sulfate per dosage
24 unit.

25 (b) Unless specifically exempted or excluded or unless
26 listed in another schedule, any material, compound, mixture, or
27 preparation which contains any quantity of the following substances

1 having a stimulant effect on the central nervous system, including
2 its salts, isomers, and salts of isomers: Pyrovalerone.

3 Sec. 2. Section 28-456, Reissue Revised Statutes of
4 Nebraska, is amended to read:

5 28-456 (1) Any drug products containing
6 phenylpropanolamine, pseudoephedrine, or their salts, optical
7 isomers, or salts of such optical isomers may be sold without a
8 prescription only if they are:

9 (a) Labeled and marketed in a manner consistent with the
10 pertinent OTC Tentative Final or Final Monograph;

11 (b) Manufactured and distributed for legitimate medicinal
12 use in a manner that reduces or eliminates the likelihood of abuse;

13 (c) Packaged as follows:

14 (i) Except for liquids, sold in package sizes of not
15 more than three and six-tenths grams of pseudoephedrine base or
16 three and six-tenths grams of phenylpropanolamine base, in blister
17 packs, each blister containing not more than two dosage units, or
18 if the use of blister packs is technically infeasible, in unit dose
19 packets or pouches; and

20 (ii) For liquids, sold in package sizes of not more than
21 three and six-tenths grams of pseudoephedrine base or three and
22 six-tenths grams of phenylpropanolamine base;

23 (d) Sold by a person, eighteen years of age or older, in
24 the course of his or her employment to a customer, eighteen years
25 of age or older, with the following restrictions:

26 (i) No customer shall be allowed to purchase, receive,
27 or otherwise acquire more than three and six-tenths grams

1 of pseudoephedrine base or three and six-tenths grams of
2 phenylpropanolamine base during a twenty-four-hour period;

3 (ii) No customer shall purchase, receive, or otherwise
4 acquire more than nine grams of pseudoephedrine base or nine grams
5 of phenylpropanolamine base during a thirty-day period; and

6 (iii) The customer shall display a valid driver's
7 or operator's license, a Nebraska state identification card, a
8 military identification card, an alien registration card, or a
9 passport as proof of identification; and

10 (e) Stored behind a counter, in an area not accessible to
11 customers, or in a locked case so that a customer needs assistance
12 from an employee to access the drug product, ~~except that this~~
13 ~~requirement does not apply to liquid pediatric formulations. For~~
14 ~~the purposes of this subdivision, liquid pediatric formulation~~
15 ~~means a liquid formulation with pseudoephedrine doses of fifteen~~
16 ~~milligrams or less that is manufactured and marketed for children~~
17 ~~twelve years of age or younger. If it is documented by a~~
18 ~~law enforcement agency to the Nebraska State Patrol that a~~
19 ~~liquid pediatric formulation has been found at a methamphetamine~~
20 ~~manufacturing site, the patrol shall present the documentation to~~
21 ~~the chief medical officer, as described in section 81-3115, who~~
22 ~~shall issue an order removing the exemption.~~

23 (2) Any person who sells drug products in violation
24 of this section may be subject to a civil penalty of fifty
25 dollars per day, and for a second or any subsequent violation,
26 the penalty may be one hundred dollars per day. Any such drug
27 products shall be seized and destroyed upon the finding of a

1 violation of this section. The department, in conjunction with
2 the Attorney General, the Nebraska State Patrol, and local law
3 enforcement agencies, shall have authority to make inspections
4 and investigations to enforce this section. In addition, the
5 department may seek injunctive relief for suspected violations of
6 this section.

7 Sec. 3. Section 28-456.01, Reissue Revised Statutes of
8 Nebraska, is amended to read:

9 28-456.01 No person shall purchase, receive, or otherwise
10 acquire, other than wholesale acquisition by a retail business
11 in the normal course of its trade or business, any drug product
12 containing more than ~~one thousand four hundred forty milligrams~~
13 three and six-tenths grams of pseudoephedrine base or ~~one thousand~~
14 ~~four hundred forty milligrams~~ three and six-tenths grams of
15 phenylpropanolamine base during a twenty-four-hour period unless
16 purchased pursuant to a medical order. Any person who violates this
17 section shall be guilty of an infraction as defined in section
18 29-431.

19 Sec. 4. Original sections 28-405, 28-456, and 28-456.01,
20 Reissue Revised Statutes of Nebraska, are repealed.

21 Sec. 5. The following sections are outright repealed:
22 Sections 28-448 and 28-454, Reissue Revised Statutes of Nebraska.