

May 8, 1991

LB 577

still be under a controlled kind of situation where they...you know, where the situation would still have to be controlled so that access could not be allowed by minors to the sampling area where they were going to do sampling.

SENATOR CHAMBERS: But the child could come into the actual building where this sampling is occurring, isn't that correct, based on a retail tobacco outlet?

SENATOR BAACK: I think so, Senator Chambers.

SENATOR CHAMBERS: You are right, you are right.

SENATOR BAACK: I think so.

SENATOR CHAMBERS: Now if you have what they call a mother...a Mom and Pop grocery store that is very small in size and they are licensed to sell tobacco products, then in a very small area, these children are exposed to the sampling activity, is that right?

SENATOR BAACK: Well, they would still have to...you would still have to set up a controlled area. My understanding is that when you do sampling in other states is that they set up a controlled area in these environments, that minors cannot get into this area. They have a controlled kind of situation where they set it up. Now that is my understanding.

SENATOR CHAMBERS: But there is nothing in the law that requires that, is there?

SENATOR BAACK: Yes, there is because it says the sampling cannot occur where minors can enter that area, so they would have to set up a specific area. It says that minors cannot enter that area where they are doing the sampling.

SENATOR CHAMBERS: Could you show me where that is?

SENATOR BAACK: It is in the committee amendments, Senator Chambers.

SENATOR CHAMBERS: I will give you time to find it because I am looking for it, too.

SENATOR BAACK: Senator Chambers, I do not see that right now.