

COMMITTEE STATEMENT

LB 1436

HEARING DATE: 2/8/00

COMMITTEE ON: Education

TITLE: (Bohlke, Aguilar, Baker, Bourne, Brashear, Bromm, Brown, Bruning, Chambers, Connealy, Coordsen, Engel, Hartnett, Hilgert, Hudkins, Janssen, Jones, Kiel, Kremer, Kristensen, Landis, Lynch, Dw. Pedersen, D. Pederson, Preister, Price, Quandahl, Raikes, Redfield, Robak, Schrock, Smith, Stuhr, Suttle, Tyson, Wehrbein, Wickersham) Establish the Teen Tobacco Education and Prevention Project

ROLL CALL VOTE – FINAL COMMITTEE ACTION

Advanced to General File

X Advanced to General File with Amendments

Indefinitely Postponed

Vote Results:

8	Yes	Senators Bohlke, Brashear, Coordsen, Price, Raikes, Stuhr, Suttle, Wickersham
0	No	None
0	Present, not voting	None
0	Absent	None

PROPOSERS

Senator Ardyce Bohlke
Doug Christensen

Duane Obermier
Tip O'Neill
Harry Gaylor
Ashley Jahde
Erin Breen

REPRESENTING

Introducer
Nebraska Board of Education
Department of Education
Nebraska State Education Association
Independent Colleges and Universities Assn.
Omaha Public Schools
Student
Student

OPPOSERS

Brian Krannawitter
Mark Welsch

REPRESENTING

American Heart Association
GASP

NEUTRAL

Teresa Anderson
Cindy Wostrel
Marybell Avery

REPRESENTING

South-Central Health Alliance
Health Education Inc.
Public School Health Educators

SUMMARY OF PURPOSE AND/OR CHANGES:

COMMITTEE STATEMENT

Legislative Bill 1436 creates the Teen Tobacco Education and Prevention Project, with the purpose of aiding in the prevention, reduction, and cessation of teen smoking by encouraging innovative proposals to educate about smoking and tobacco use. The project will fund proposals developed by high school students, provide money for scholarships for the students, and provide award money to proposal sponsors.

The Teen Tobacco Education and Prevention Project Committee shall develop criteria for proposals and shall select winning proposals. The committee shall consist of:

- 1) A high school marketing teacher or advisor, appointed by the Commissioner of Education;
- 2) A high school journalism teacher or advisor, appointed by the Commissioner of Education;
- 3) A physician knowledgeable about health risks associated with tobacco use, appointed by the Governor;
- 4) An advertising expert, appointed by the Governor;
- 5) A broadcast journalist, appointed by the Governor;
- 6) An anti-tobacco activist, appointed by the Governor; and
- 7) A member of the business community, appointed by the Governor.

The Department of education shall provide staff support. Committee members shall be reimbursed for their actual and necessary expenses.

Students residing or attending school in Nebraska may submit proposals on or before December 31 of each year through 2002. The design and development may be completed by groups of up to 4 students. Proposals may include programs, advertisement campaigns, small group projects, conferences, seminars, billboards, pamphlets, productions, television advertisements, radio advertisements, promotional ideas, or any other innovative concept. The proposals shall be designed for implementation in the school, community, or geographic area where the student resides or attends school, with a budget limitation of \$100,000.

By March 1 of each year through 2003, the committee shall select 4 winning proposals. There shall be one proposal from:

- 1) A school with membership of less than 125 students in grades 9-12;
- 2) A school with membership of at least 125 and less than 320 students in grades 9-12;
- 3) A school with membership of at least 320 and less than 1050 students in grades 9-12;
- 4) A school with membership of 1050 or more students in grades 9-12;

The designers of the winning proposals shall each be awarded a \$5,000 scholarship and will oversee the implementation of their project. Each school, organization, club, or other entity sponsoring a winning proposal shall also be awarded \$5,000.

The Department shall adopt and promulgate rules and regulations to carry out the submission of proposals and selection of winners.

COMMITTEE STATEMENT

The Coordinating Commission for Postsecondary Education shall oversee and administer the scholarships and awards. Scholarships may only be used by an eligible student for educational expenses at an eligible institution as defined under the Scholarship Assistance Program Act. Scholarship money not used for the first baccalaureate degree, certificate, diploma, or equivalent or before the student is 25, whichever occurs first, shall be transferred to the Excellence in Health Care Trust Fund. The Commission shall adopt and promulgate rules and regulations.

The Teen Tobacco Education and Prevention Project Fund is created and shall include investment income on the revenue transferred from the Nebraska Tobacco Settlement Trust Fund. The fund shall be used by the committee for the purposes the act. The State Treasurer shall transfer unobligated funds on December 31, 2003 to the Excellence in Health Care Trust Fund.

Section 71-7608 is amended to transfer the first \$560,000 of the investment income in the Nebraska Tobacco Settlement Trust Fund to the Teen Tobacco Education and Prevention Project Fund.

Section 71-7611 is amended to allow the Excellence in Health Care Trust Fund to accept a transfer of the unobligated funds from the Teen Tobacco Education and Prevention Project Fund. Other provisions of the bill provide for the transfer on December 31, 2003. The Excellence in Health Care Trust Fund generally receives investment income from the Nebraska Tobacco Settlement Trust Fund so the income may be used for grants or loan guarantees pursuant to § 71-7614.

EXPLANATION OF AMENDMENTS, IF ANY:

The Committee Amendments expand the Committee, eliminate the sunset, require a review, allow statewide implementation of projects, reduce the amount transferred to the fund, clarify that the transfers are annual, and provide clarification.

The Teen Tobacco Education and Prevention Project Committee is expanded by adding a public health representative, a health teacher from a public school, and a student from each of the four school size categories recognized in the bill.

The language limiting applications to years through 2002 and the language limiting the selection of winners to years through 2003 is eliminated. The transfer of unobligated funds to the Excellence in Health Care Trust Fund is also eliminated. These two changes eliminate the sunset of the program. A requirement is added for the Department to conduct a review of the project before December 31, 2003, which will be submitted to the Governor and Legislature with any recommendations.

The geographic implementation areas are expanded to include an option for a statewide implementation area. Clarification is added that the selection of winners is regulated by both the bill and rules and regulations adopted to implement the bill. The limitation on

COMMITTEE STATEMENT

the Department rules and regulations to the submission of proposals and selection of winners is removed, allowing the Department to adopt more comprehensive rules and regulations to implement the program.

The oversight and administration of the sponsorship awards is transferred from the Coordinating Commission to the Department. The oversight and administration of scholarships remains with the Commission.

The transfer to the Teen Tobacco Education and Prevention Project Fund is reduced from \$560,000 to \$500,000 and clarification is added stating that the transfer is to occur annually.

Senator Ardyce Bohlke, Chair
Committee on Education