

TRANSCRIPT PREPARED BY THE CLERK OF THE LEGISLATURE
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FLOOR DEBATE

March 7, 2006 LB 562, 1175

CLERK: 34 ayes, 0 nays, Mr. President, on the advancement of LB 1175.

SENATOR CUDABACK: LB 1175 does advance. Next agenda item, General File, 2006 committee second priority bill. Mr. Clerk, LB 562.

CLERK: LB 562, a bill by Senator Janssen. (Read title.) The bill was introduced on January 18, referred to General Affairs. The bill was advanced to General File, Mr. President.

SENATOR CUDABACK: Thank you, Mr. Clerk. Senator Janssen, to open on LB 562.

SENATOR JANSSEN: Thank you, Senator Cudaback, members of the Legislature. LB 562 adds the gaseous form of alcohol to the state's definition of the alcohol under the Liquor Control Act. This bill was introduced in response to news in the mainstream media that a machine called AWOL, or A-W-O-L, was ready to be marketed in the United States. AWOL stands for Alcohol Without Liquid. The machine is being promoted as a new calorie, low-carbohydrate way for adults to consume alcohol. The machine consists of an oxygen generator and a hand-held vaporizer. A spirit is poured into the vaporizer, and oxygen mixes with the alcohol, producing a mist which is inhaled through the mouth. Alcohol enters the bloodstream through the lungs rather than the stomach. According to the manufacturers, once the alcohol enters the bloodstream, it affects the body in the same way as drinking alcohol. The machine's manufacturer also has said that the alcohol leaves the body in the same manner as if it had been consumed by drinking, so it will register on a Breathalyzer test. The Nebraska Liquor Control Commission has indicated that this concept is one of their concerns that needs legislative attention. In a letter to the Governor and the committee, the commission states, one of the new technology issues facing alcohol regulators are the Alcohol Without Liquor (sic) devices. Some of the AWOL devices are in a gaseous form at manufacture, and may not be controlled by the act. An update definition of...which includes alcohol in any state, is needed. To make sure that the commission can regulate all forms of alcoholic