

And we came into the hearing last year and Senator Schellpeper and I said, we saw this happening, and the representative for the smokeless tobacco people said, well, I know that they stopped it. We said we would stop it. I am sure that we stopped it. I can't believe that you saw this or that you would be saying this but, you know, I guess we will take your word for it. Well, absolutely, they should take our word for it. It isn't until this session, after several years of working on this, that the industry has finally come back with a so-called legitimate alternative. In my estimation, it is inadequate. It is a legitimate alternative. I think you could vote for it and say, well, we are doing something, but is it enough? It is not enough. But to talk about that industry cooperating fully and totally with us is wrong. They have finally come around because there are many of you on this floor that have expressed a desire to see something done about this problem. Because of you, you have seen the industry come around at least a little bit. I hope you will stick with the bill. Maybe we can come a little farther. Don't adopt this amendment. Adopt the bill and advance it at this point. If you feel uncertain about it, more negotiation can occur, but to give in at this point is wrong. I think that we have seen some effort here, some movement here. Let's continue down the direction that Senator Dierks is trying to take us and I think it is the right way to go, and I hope some of the inaccuracies are now corrected on the record.

SPEAKER BARRETT: Senator Nelson, please, followed by Senator Dierks.

SENATOR NELSON: Mr. Speaker, members of the body, there is one other point on this amendment that I want to call to your attention, and that is Section 5, "No county, city, or village shall adopt any ordinance or regulation inconsistent with sections 1 to 4 of this act or sections 28-1418 and 28-1419." In essence, that would prohibit any city also banning the free giveaway. I will just open up to a book furnished to me by the tobacco industry, Nebraska Health Department, shows the cities in California alone on this one page that prohibit the distribution of tobacco. I know where Senator Hall is coming from, Senator Bernard-Stevens. It was maybe discovered here that Nebraska has no law. It was brought out in the hearings the other day that there is any penalty against a kid using smokeless tobacco. I guess maybe when the laws were made, they probably didn't think that how horrible it is. Let me point to you Senator Lynch's amendment to some of the fallacies in this