

February 4, 1991 LB 577

SENATOR WESELY: Thank you, Mr. President, members of the Legislature, I have filed a rereferencing motion as Chairman of the Health and Human Services Committee to rereference LB 577 from the Judiciary...

SENATOR LAMB: Could we have order on the floor. It's very difficult to hear Senator Wesely at this point.

SENATOR WESELY: Thank you. Mr. President, I understand that there's a bigger issue coming up shortly and some discussion is occurring regarding that and I appreciate that. This is not a particularly major battle. It is one that we fought before and I felt an obligation to raise again, but I do think it is significant and we do need to discuss it. The issue before us is a question of how we reference the bill which would reinstitute the ability of tobacco companies to distribute, free of charge, smokeless tobacco products. This issue has been before the body at least since 1987 and I will go through that very briefly. I do note that there is a memorandum from Speaker Baack that does highlight some of that and I'll just acknowledge that. In 1987 and again in 1988 we had bills that banned the free distribution of smokeless tobacco samples. Those two bills were originally referenced to Judiciary Committee and then motions like this one were offered to rereference the bills back to the Health and Human Services Committee and this body did overrule the referencing and returned those bills back to the Health and Human Services Committee in both '87 and again in '88. So we are hoping for a third time that we will take again the issue of smokeless tobacco and place it, in my estimation, in its rightful home with the Health and Human Services Committee here in 1991. After the '87 and '88 referencing motions in 1989 another bill, LB 48 was introduced and this time was directly referenced to the Health and Human Services Committee. On the third time it was before that committee it did pass and was enacted into law in 1989. The introducers of that bill were Senator Dierks, the primary sponsor, Senator Chambers, Senator Nelson, who had carried the bill several years before that, Senator Schellpeper, Senator Hefner, Senator Lamb, Senator Crosby and Senator Hartnett. The bill was passed and 1990 came and went and now we're in 1991 and there is a bill by Senator Baack to reinstitute some of the provisions of providing for the free distribution and sampling of smokeless tobacco products. The arguments I would make in favor of having the bill in the Health and Human Services Committee are, number one, we had the issue in the past. The committee members are