

difficulties holding onto our philosophy. And I've been always amazed, in the last few years, at the debate on this issue, on how some of my good friends that are a little bit more conservative than I, but particularly very adamant on the free enterprise system, push all of those principles aside for this particular issue they make that exception. And you really can't do that, if you believe in the philosophy of the free enterprise system, then you protect that philosophy. If you want to ban the product, you ban the product. If it's a legal product, we go with it at that point. We have a bill before us now that accomplishes what the real intent was. And I'd like to kind of take members of the body that were not here two years ago, to take you through, in the few minutes that I have left, some of the scenario of the past. It was LB 48 that was here a few years ago. I still have some of the scars of that debate. But the debate ended up being an issue of protecting young people from becoming addicted and developing oral cancer. At the time of LB 48's discussion, it was illegal for a minor to have a free sample. They couldn't buy it, they couldn't use it or chew it. It was illegal, at the time. After LB 48 was passed, it was still illegal. The only difference, two years ago, is now we said that consenting adults that understand, they cannot have the sample either. So we didn't do anything for young people. We went ahead and went on to the adults.

PRESIDENT MOUL: One minute.

SENATOR BERNARD-STEVENS: We now have LB 577 which says, wait a minute now. If we really want to put some limitations, because we're concerned about our young kids, let's put something that is consistent with the philosophy of free enterprise, but is also very consistent at sending a very hard message to those industries, those companies that distribute smokeless tobacco and other tobacco products. That message is very clear. If there's a violation or two in a year, you'll have a five year penalty that you cannot be in this state at all, as far as the distribution of free samples you cannot. That's a very, very stiff penalty, and we're willing to go with that. I have an amendment that will be upcoming, if the kill motion is not agreed to, that would simply say, if you really want to help kids, pass this amendment that I tried two years ago, it says it will be illegal for them to possess.

PRESIDENT MOUL: Time.