



**Hundredth Legislature - First Session - 2007
Committee Statement
LB 218**

Hearing Date: February 22, 2007
Committee On: Judiciary

Introducer(s): (Burling)

Title: Change provisions relating to the acquisition of certain drug products

Roll Call Vote – Final Committee Action:

- X Advanced to General File
 - Advanced to General File with Amendments
 - Indefinitely Postponed
-

Vote Results:

8	Yes	Sen Ashford, Sen. Lathrop, Sen. Chambers, Sen. McDonald, Sen. McGill, Sen. Pedersen, Sen. Pirsch, Sen. Schimek
	No	
	Present, not voting	
	Absent	

Proponents:

Sen. Burling
Bob Hallstrom
Kathy Siefken

Representing:

Nebraska Pharmacists Association
Nebraska Grocery Industry

Opponents:

Lynn Lyon

Representing:

Otoe Sheriff’s Office

Neutral:

Representing:

Summary of purpose and/or changes: Legislative Bill 218 amends Nebraska’s existing restrictions on the purchase of products containing pseudoephedrine or phenylpropanolamine to allow individuals to purchase up to 3.6 grams of such products per day and no more than 9 grams per month in order to harmonize Nebraska’s requirements with those in the federal Combat Meth Act.

In 2005, the Nebraska legislature adopted LB 117 which created the existing 1.44 gram per day limit. Subsequent to this the federal government adopted the Combat Meth Act which imposed national restrictions on the amount of pseudoephedrine products which could be purchased of 3.6 grams per day with a 9 gram monthly cap and a logbook requirement. The federal law generally

preempts state regulation in this area but allows state restrictions that are greater than those in the act. As a result, retailers in Nebraska are operating under a combination of state and federal restrictions and can sell no more than 1.44 grams per day or more than 9 grams per month. This legislation makes Nebraska's restrictions consistent with those in the federal act.

Explanation of amendments, if any:

Senator Brad Ashford, Chairperson