

**ONE HUNDRED FIRST LEGISLATURE - FIRST SESSION - 2009**  
**COMMITTEE STATEMENT**  
**LB123**

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**Hearing Date:** Thursday January 22, 2009  
**Committee On:** Judiciary  
**Introducer:** Karpisek  
**One Liner:** Change the Uniform Controlled Substances Act to include Salvia divinorum or Salvinorin A

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**Roll Call Vote - Final Committee Action:**  
Advanced to General File

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**Vote Results:**

<b>Aye:</b>	6	Senators Ashford, Lathrop, Coash, Lautenbaugh, McGill, Rogert
<b>Nay:</b>		
<b>Absent:</b>	1	Senator Christensen
<b>Present Not Voting:</b>	1	Senator Council

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**Proponents:**

Sen. Russ Karpisek  
Corey O'Brien  
Lance Hedquist  
Gary Krumland

**Representing:**

Introducer  
Attorney General's Office  
City of South Sioux City  
League of NE Municipalities

**Opponents:**

Steven Glaser

**Representing:**

UNL student

**Neutral:**

**Representing:**

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**Summary of purpose and/or changes:**

LB 123 would add the plant Salvia Divinorum, to the controlled substances act. This inclusion on the controlled substances act would include all parts of this plant, any seed, derivative, mixture, extract, or salt, whether it was growing or not. This plant would be classified as a Schedule I drug under the controlled substances act.

In order to be classified as a Schedule I drug under federal law, the following must be found:

- The drug or other substance must have a high potential for abuse.
- The drug or other substance has no currently accepted medical use in treatment in the United States.
- There is a lack of accepted safety for use of the drug or other substance under medical supervision.

(Source: Chapter 13 of Drug Abuse Prevention and Control Act)

No prescriptions may be written for Schedule I substances, and such substances are subject to production quotas by the DEA.

LB 123 was introduced last session under the title of LB 840 and was advanced out of the Judiciary Committee to general file, where it was indefinitely postponed upon adjournment Sine Die.

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Brad Ashford, Chairperson