

AMENDMENTS TO LB 604

1           1. Strike the original sections and insert the following  
2 new sections:

3           "Section 1. Section 71-5707, Revised Statutes  
4 Supplement, 2004, is amended to read:

5           71-5707. (1) No person shall smoke in a public place or  
6 at a public meeting except in designated smoking areas. This  
7 subsection does not apply in cases in which an entire room or hall  
8 is used for a private social function and seating arrangements are  
9 under the control of the sponsor of the function and not of the  
10 proprietor or person in charge of such room or hall.

11           (2) With respect to factories, warehouses, and similar  
12 places of work not usually frequented by the general public, the  
13 Department of Health and Human Services Regulation and Licensure  
14 shall, in consultation with the Department of Labor, establish  
15 rules to restrict or prohibit smoking in those places of work where  
16 the close proximity of workers or the inadequacy of ventilation  
17 causes smoke pollution detrimental to the health and comfort of  
18 nonsmoking employees.

19           (3) No person shall smoke at a site where child care  
20 programs required to be licensed under section 71-1911 are  
21 provided. No person shall smoke at a site where foster care  
22 required to be licensed under section 71-1902 is provided to  
23 children under one year of age. This subsection applies to a child  
24 care program located in the home of the provider only during times

1 ~~one or more client's children are present in any part of the home.~~

2 (4) Smoking is prohibited in all vehicles owned or leased  
3 by the state and in all buildings, and the area within ten feet of  
4 any entrance of such buildings, which are owned, leased, or  
5 occupied by the state except as provided in subsections (5), (6),  
6 and (7) of this section.

7 (5) The following buildings or areas within buildings in  
8 which persons reside or lodge may be exempt from this section: (a)  
9 Nebraska veterans homes established pursuant to section 80-315; (b)  
10 private residences; (c) facilities and institutions under the  
11 control of the Department of Health and Human Services; and (d)  
12 overnight lodging facilities and buildings managed by the Game and  
13 Parks Commission, but no more than twenty-five percent of the  
14 overnight lodging facilities at each park location shall permit  
15 smoking.

16 (6) Designated smoking areas not to exceed fifty percent  
17 of the space used by the public may be established in state-owned  
18 buildings at the Nebraska State Fairgrounds that possess a Class C,  
19 I, or M license for the sale of alcoholic liquor for consumption on  
20 the premises under the Nebraska Liquor Control Act.

21 (7) Smoking may be permitted in no more than forty  
22 percent of the residential housing rooms or units owned or leased  
23 on each campus under the control of the Board of Regents of the  
24 University of Nebraska or the Board of Trustees of the Nebraska  
25 State Colleges.

26 Sec. 2. Original section 71-5707, Revised Statutes  
27 Supplement, 2004, is repealed."