

April 2, 1979

LB 344

affected by this legislation. In talking with Senator Stoney I understand that in Minnesota they have taken care of the problem as to what exactly is affected and what is not affected by this legislation through rules and regulations. The question I raise in the amendment was a question of what is a bar. In the bill it defines that a bar shall be exempted from the provisions of the Nebraska Clean Indoor Air Act, however, there is no definition in the statutes for what a bar is. I thought by including this amendment which specifies that a bar shall include any establishment with a liquor license in the State of Nebraska as being exempted from this statute that we could deal with that problem, however, it has opened up a Pandora's Box in this, in fact, pretty much taken out the effectiveness of this bill, a great number of not only bars but restaurants as well and so I am going to withdraw that amendment but before I do I would like to..., Senator Stoney, do you have those rules and regulations? Could you read for me how Minnesota has defined bar?

SENATOR STONEY: Yes, Senator Wesely, and I appreciate the fact that you are withdrawing this amendment because we had an opportunity to discuss how this would be addressed and it will be addressed with the Department of Health holding hearings so that everyone that is interested in this proposal will have an opportunity to provide their thoughts, opinions and input. In the State of Minnesota, for instance, a bar has been defined as any establishment or portion of an establishment where one can purchase and consume alcoholic beverages but excluding any such establishment or portion of the establishment having tables and seating facilities for serving of meals to more than fifty people at one time and where in consideration of payment, meals are served at tables to the public and this goes on and on in the way of definition for everything that is covered in the bill. For instance, the educational facilities, factory, warehouse, health care facilities, et cetera. So this would be covered in the rules and regulations and if there are any concerns I am sure that they will be addressed when the rules are promulgated.

SENATOR WESELY: Thank you, Senator Stoney. That fact has now clarified the situation for myself. I think that...I wanted to read that into the record so that when the rules and regulations are drawn up that they will look back and see that that is, in fact, the way Minnesota has defined bar and in my estimation it is a reasonable way of making that definition and so I would withdraw my amendment and support LB 344 as written. Thank you.