

TRANSCRIPT PREPARED BY THE CLERK OF THE LEGISLATURE
Transcriber's Office

February 8, 1999 LB 211

concern. I would urge the support of Senator Tyson's amendment and the advancement of Senator Schmitt's bill. Thank you very much for listening.

PRESIDENT MAURSTAD: Thank you, Senator Preister. The Chair recognizes Senator Beutler.

SENATOR BEUTLER: Senator Maurstad, members of the Legislature, I wanted to explore a little bit with Senator Tyson the parameters of...the intended parameters of his amendment. I assume what we're talking about is ending the ability of state agencies to declare designated smoking areas. Right now, under the law they can do that. In most state agencies, as I understand from the discussion, they have chosen either not to have a designated smoking area or to have just one. So I take it the effect of his amendment would be to end the ability in a state owned...in a state building to have a designated smoking area and, further, I take it the definitions in the law with regard to a public area, and the no smoking provisions apply to public areas, excludes, generally speaking, privately owned offices that are occupied only...that is privately occupied offices in an office building. So I assume it would take away that exemption also and...and simply broaden the prohibition to include any office. My questions, Senator Tyson, are twofold. Your amendment says no person shall smoke in any state building. I take it it's your intention to include any building whether it's an office building primarily or not an office building. Is that correct?

PRESIDENT MAURSTAD: Senator Tyson.

SENATOR TYSON: Yes, it is correct, Senator.

SENATOR BEUTLER: Okay. And with respect to whether the property may be owned or leased, as you know, some state agencies lease significant portions of office buildings here in Lincoln and elsewhere. Is it your intention to cover state owned buildings only or is that to include any portions of any buildings leased by the state?

SENATOR TYSON: Senator Beutler, Senator Hilgert brought that question up in a private conversation just a moment or so ago