

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

March 18, 1999      LB 211

CLERK:      Mr. President, the first bill this morning on Select File, LB 211. Enrollment and Review amendments have been adopted. There was an amendment by Senator Beutler that was adopted to the bill. First item this morning, Senator Preister, AM0692, Senator. (See page 877 of the Legislative Journal.)

PRESIDENT MAURSTAD:      Senator Preister, you're recognized to open on your amendment.

SENATOR PREISTER: Thank you, Honorable President, friends all. I apologize, first of all, for not having had the opportunity to be present when this bill was up the last time and to introduce myself the amendment that was up at that time that Senator Ray Janssen was kind enough to introduce. I missed the discussion on that amendment. I can certainly share with you that I would much rather have been here and much rather have been dealing with this issue than what I was dealing with, but that's not the choice that I really had to make. This amendment bans smoking in all state-owned vehicles and in all state-owned leased and controlled buildings and property. It does provide for an exception for veterans homes and for private residences. We have accommodated those veterans by this amendment so that in a designated area of those veterans homes they're able to remain smoking. It still is something that has some regulation by the Health Depart...through the Health Department. Private residences were a concern so they are exempted out, as well as overnight lodging in facilities and buildings managed by the Game and Parks. So we have accommodated those folks who wish to stay at some of our lodging facilities in the state. However, that will be in accordance with a percentage ratio. Since we have approximately 22 to 24 percent of the population who smoke, we have limited that to no more than 25 percent of those facilities will be designated as smoking facilities, again so we are accommodating but not beyond the point of what the majority of the residents of Nebraska or the population in the country as a whole utilizes. We have also accommodated a concern at the State Fairground so, at the State Fairgrounds, the beer gardens would be an area that would have a liquor license and would be allowed to permit smoking and so we have accommodated the concerns of the State Fair Board and the Fair Park. It would also take into account those residence areas at the university and state colleges so that in some areas where they have smoking