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February 21, 2003 LB 45

SENATOR CUDABACK: It is withdrawn. Mr. Clerk.

CLERK: Mr. President, Senator Jensen and others would offer AM0499. (Legislative Journal pages 602-603.)

SENATOR CUDABACK: Senator Jensen, to open on AM0499.

SENATOR JENSEN: Thank you, Mr. President and members of the Legislature. First of all, this is a bill that we spoke of on General File, and it was advanced to Select File. We endeavored to work with the parties and see if we could come up with an agreement. I think we have just done that this morning. I certainly want to commend Senator Thompson, Senator Cunningham, and Senator Janssen, Tyson, others, certainly staff of Doug, Kim, and Jeff, for coming up with I think is an agreeable amendment. And I would...I'll also share my opening time with Senator Thompson and then Senator Cunningham also can chip in. But this, as you know, concerned smoking in restaurants. On the 15th of January, there was new rules and regulations that were handed down that affected certainly some of the grocers, some of the C-stores that we have here in Nebraska, and also some of the other eating establishments, and whether smoking would be allowed or whether it would not be allowed. The amendment strikes some language and adds some others back in. It is now on your computer, should be on. Actually, what we did is this struck everything in the amendment, excuse me, everything in the bill with exception with the enforcement section, which is the last section of the bill. I'll just relate to you quickly what the added language was. On line 6, we have added, or line 7, rather, "minimize the presence of environmental tobacco smoke", on line 8, "all nonsmoking areas". We have struck in line 10, "smoke free" and substituted "nonsmoking" areas. On line 12, we have struck "upon request of a client or employee suffering discomfort from the smoke" and added back in "in the nonsmoking area". Line 15, we have struck "means which may be" and added at the end appropriate "means". Going on down then to line 19, we have struck "a local board of health or any affected party" and put in "or a local public health department as defined in section 71-1626". We've also, on line 22, then struck the words "section 71-5707" and added "the Nebraska Clean Indoor Air Act. Any interested party may report possible violations of the act