## TRANSCRIPT PREPARED BY THE CLERK OF THE LEGISLATURE Transcriber's Office FLOOR DEBATE

April 7, 2005 LB 480

smoking pretty much altogether in public places or places of employment. That, of course, was a fairly dramatic move. It was a less of a stepped approach and they simply decided to do it all of a sudden. Whether that was wise from a financial point of view or from the point of view of fairness with respect to certain industries, one can certainly argue about that. Personally, I probably would have been in favor of a more stepped approach, considering those items. But the fact of the matter is they took this approach and, as with any law that's made in the city of Lincoln, you have the right to, if you get a certain number of signatures, which are not that hard to get, you have a right to bring it up for a vote of the people through a referendum on the law. And they had such a referendum in Lincoln and 62 percent of the people voted to uphold the city council in their more or less total ban on smoking in public places and places of employment. So it wasn't just the city council or a part of the city council, but the people themselves have chosen that path and it makes it very difficult, obviously, for any of us in the city of Lincoln to be in support of anything here today that would take away the right of a local political subdivision to allow the people of that community to do as they please on this issue, and some of the amendments that are forthcoming would purport to do that and I guess we can talk about that more later. But here's the operative part of the Lincoln ordinance. It is very short and I'll just read it to you: It shall be unlawful for any proprietor of any place of employment, that includes bars, or any public place, which is almost any indoor space where people are invited all the time or even from time to time, it's unlawful for a proprietor to allow smoking in those circumstances, except as follows, and the only two exceptions they made were for guest rooms in hotels and motels, and they have certain rules that apply to that, and then research studies that are being conducted under state or federal law, they make an exception for that. But it's a fairly short ordinance in its operative provisions and it's an abrupt change, but that's what happened in Lincoln. Thank you.

SENATOR SCHIMEK: Thank you, Senator.

SENATOR BEUTLER: Oh, I might also say, by way of a peripheral comment, you may remember Senator Price's tree bill which was