

April 5, 1979

LB 344

SENATOR GEORGE: Okay, thank you.

SPEAKER MARVEL: Senator Lamb.

SENATOR LAMB: Mr. President, members of the Legislature, I certainly agree with what Senator Stoney is attempting to do here because as a nonsmoker I appreciate at times being able to sit in an area where there are no smokers. However, I think Senator Maresh has hit on the problem in some small restaurants, well, not necessarily in the rural areas, but in any area, that these people are going to have a difficult time designating smoking areas and nonsmoking areas that are far enough apart really to do anybody any good. So I support the Maresh amendment and I reject the thinking that this should be left up to rules and regulations because I think we have all had experiences with rules and regulations which have not been all that satisfactory and I believe if this Legislature thinks there should be an exemption for small restaurants, the proper time and place to put that exemption into effect is right here, to put it right in the statute. Thank you.

SPEAKER MARVEL: The Chair recognizes Senator Kahle.

SENATOR KAHLE: Mr. Speaker, members of the body, I support Senator Maresh on his amendment. I think that many, many of our small towns the restaurants probably are about that size. Senator George mentioned 20 by 60, try 30 by 40, it is the same square footage and I think that would be more realistic to what a quite a few of them are. In a room that size, really there would be no smoking area in there anyhow, if anyone was smoking, because the smoke would carry that far. So I feel that we need some kind of a restriction on this. However, I will support the bill any way that it comes out. I think it is a good concept but I believe it would be a little bit more palatable to our rural people in small towns where they are having a heck of a time keeping a restaurant open at all in many cases, that we should make it as easy for them as possible. Thank you.

SPEAKER MARVEL: Before I call for the vote on the Maresh amendment, in the South balcony from Senator Cope and Senator Kahle's District, it is my pleasure to introduce 50 cub scouts from Pack 43 of Kearney up here in the South balcony. May we welcome them to Lincoln please. The Clerk has an amendment to the Kahle amendment.

CLERK: Mr. President, Senator Wesely moves to amend the Maresh amendment to strike 1200 to 800 feet.