

April 5, 1979

LB 344

SPEAKER MARVEL: Read the amendment again.

CLERK: To amend the Maresh amendment to 800 feet, square feet.

SPEAKER MARVEL: The Chair recognizes Senator Wesely.

SENATOR WESELY: Mr. Speaker, members of the Legislature, I can understand Senator Maresh's interest in this problem and what an impact LB 344 will have on the smaller restaurants and cafes in the smaller towns in the state, throughout the state, and now I can appreciate the amendment and I would support it but I think 1200 square feet is a very large restaurant. That is getting up there to a point where I think you by having that exemption are taking out most restaurants when you think about it. Consider for instance some of the restaurants you go to here in Lincoln or elsewhere in your home towns. 1200 square feet, we are talking about 20 by 60 feet. That is a large restaurant and I was just sitting here thinking about the Maresh amendment thinking that it was a good idea, then trying to place some of the restaurants I go to and I can't think of very many that are even that size. So if we are really going to accomplish anything with LB 344 in trying to provide some segregation so that the nonsmokers who are offended by smokers can have a choice, then I think we need to amend down to 800 square feet the Maresh amendment and then go ahead and put it onto the bill. I think that will accomplish the purposes that he has in trying to exempt those smaller cafes in the smaller towns and I think that is fine but I think this is too large of a loophole, is how I would describe it, if you had the Maresh amendment attached to the bill. I think you'd take out most of the restaurants in the state and so I would urge your support for my amendment to the Maresh amendment and then I would support the Maresh amendment as amended. Thank you.

SPEAKER MARVEL: Senator Lamb, do you wish to be recognized on....okay, your light was on. Senator Hefner.

SENATOR HEFNER: Mr. President, members of the body, I rise to oppose Senator Wesely's amendment because I believe that would be taking it down too far. I think that Senator Maresh's amendment at 1200 square feet is fair and reasonable and it is something that these small town restaurants could live with, therefore, I would urge you to reject the amendment to the amendment.

SPEAKER MARVEL: Senator Clark.