

AMENDMENTS TO LB 395

(Amendments to Final Reading copy)

Introduced by Erdman, 47

1 1. Insert the following new sections:

2 Sec. 16. (1) On and after the operative date of this
3 section, the governing body of any county, or the voters of any
4 county, as provided in subsection (2) of this section, may adopt a
5 nonsmoking resolution that is less stringent than or more stringent
6 than the Nebraska Clean Indoor Air Act enacted by this legislative
7 bill, except that such resolution shall not be less stringent than
8 sections 71-5707 to 71-5709 as such sections existed prior to the
9 operative date of this section.

10 (2) A proposed nonsmoking resolution or proposed repeal
11 of an enacted nonsmoking resolution may be placed on the ballot for
12 the voters of the county (a) by a majority vote of the governing
13 body of such county, (b) by initiative under sections 18-2501 to
14 18-2538, or (c) by petition meeting the requirements of and subject
15 to sections 32-628 to 32-630 and signed by at least thirty-five
16 percent of the registered voters residing in such county on the day
17 such petitions are filed for verification. The election shall be
18 conducted as provided in sections 32-556 to 32-559.

19 (3) A resolution adopted by the governing body of
20 any county under subsection (1) of this section without being
21 submitted to the voters under subsection (2) of this section
22 shall take effect ninety days after its adoption unless, within

1 such ninety-day period, such governing body receives a petition
2 signed by at least thirty-five percent of the registered voters
3 residing in such county on the date the resolution was adopted
4 requesting that such resolution be repealed. Upon verification of
5 the signatures on such petition, the resolution shall be placed on
6 the ballot.

7 (4) A copy of a resolution adopted or repealed by a
8 county under this section shall be provided to the Department of
9 Health and Human Services and to the local public health department
10 as defined in section 71-1626 of such county.

11 Sec. 19. Sections 16 and 19 of this act become operative
12 on their effective date. The other sections of this act become
13 operative on June 1, 2009.

14 2. On page 5, line 9, strike beginning with "sections"
15 in line 9 through "17" in line 10 and all amendments thereto and
16 insert "sections 15 and 16".

17 3. In AM1736, strike sections 20 and 23.

18 4. Renumber the remaining sections accordingly.