

February 10, 1995 LB 121

fact, an amendment on the desk, as I understand it. Senator Hall, I turned your light off but I will remember you as the first speaker.

CLERK: Mr. President, Senator Schimek would move to amend the bill. The amendment is on page 700 of the Journal. (See FA34.)

SPEAKER WITHEM: Senator Schimek.

SENATOR SCHIMEK: Thank you, Mr. President, members of the body. I rise to ask your support for this amendment. If you will notice, the committee action was four to one to advance this bill and I was the one voting no. It really wasn't because I didn't empathize with what Senator Preister was trying to do, but because I still had a concern that if smokers can be accommodated in some way without, without harming or causing harmful effects on other people, that they should be. And part of my reasoning here is that we have made some exceptions in the bill for other, other entities of state government, such as Senator Preister has already mentioned, like the residence halls and the board of trustees can do that in their institutions, the Corrections Department, and so forth, and my feeling is that the State Capitol is used by the public and by all the people of Nebraska and, yes, only 20 percent of them are smokers, but that is 20 percent of the people. So, and I have to tell you that I have had a number of complaints from my constituents who are state employees or regular citizens, and their complaints have been of the nature that there are certain rest rooms they go into that they almost are asphyxiated, they go into the cafeteria to dine, to eat lunch, and they get placed in a smoking...or they have to sit in an area that is near the smoking area, and it's not comfortable for them. So taking some of those concerns into consideration too, my amendment simply says that we may provide one separately ventilated room in the State Capitol, and that it shall not be a rest room or the cafeteria. In other words, if we can provide a separate room that is well ventilated, that the ordinary public is not going to go into, that can avoid and doesn't...it is not going to, well, it is not going to affect them, then I think that we should do it. And I offer that to you as a kind of a compromise measure. I do think that Senator Preister has got a good bill, but I still think that we are dealing with the public here, and we are dealing with people who are adults and who do smoke. And I have to tell you that my background on this has been always to support any bill that comes along that will in any way inhibit