

to do your work and a room that you pass through and didn't have to be for somebody who is smoking. There's open windows over there. I think they are probably part of the same circulation system. I thought that was a fair result. I said I had no difficulty limiting my access to smoking my pipe in that area as opposed to here, seemed more than fair, easily prevailed upon to make that change and did so. What I do not understand is why that kind of informal adjustment, accommodation can't go forward. If I were to vote for 121, it would be a bill that said generally the rule is that there shouldn't be smoking in areas where workers are trapped into doing their work and yet they have to experience the side effects of secondhand smoke. But I think I would try to identify the places and the conditions under which some smoking could be accommodated, separate ventilation, rooms with open windows and fans, strong smoke collecting devices in areas in which people were not doing their work and that had to be in the area, in other words, leisure areas or areas of some discretion as to whether you had to be there or not or could pass through quickly. Seems to me maybe you could help people make adjustments. We could establish the rule that people don't have to occupy places that suffers secondhand smoke because of their jobs and at the same time have the same opportunity for adjustment, an accommodation this body did two years ago. Frankly, I have to look at 121 as somewhat of a reneging on the understanding that we had and that we found, I thought, through a good faith discussion here about two sets of principles, one, I shouldn't have to suffer being trapped in a room with secondhand smoke against my will, I agreed to that principle and, secondly, if we are not in that situation and we're in an area that is a discretion area, a discretionary area, that space can be set aside for people who are addicted to a legal substance...

SENATOR CROSBY: One minute.

SENATOR LANDIS: ...which may or may not have an effect on their productivity or at least their state of mind and that allows them to continue to work and do their work as well. I think that accommodation should be able to go forward. I object to the Beutler amendment. I voted for the Schimek amendment though I didn't think it had the right thing. I would vote for LB 21 if it identified, first, the principle that people should not have to be trapped into spaces that they cannot get away from and that those spaces are filled with secondhand smoke and, secondly, that if there are discretionary areas of either