

February 13, 1995 LB 121

does not have to allow any exemptions. A political determination is being made that in order to give the bill a chance certain exemptions have to be made. I disagree with that so I will offer my amendment as Senator Beutler offered his. Mine probably will not pass, but I'm going to offer it anyway and I'm going to hammer on this issue and hammer on this issue. Every step toward public health is of value. The bill, even with the exemptions is something that I will vote for, but I think there is a way for us to make a policy statement which shows that we are serious. Now when I reached a point in the Judiciary Committee, Senator Withem, where I was having difficulty...

SPEAKER WITHEM: One minute.

SENATOR CHAMBERS: ...getting the senators to understand what I was saying, I decided to use a tactic of Omaha's mayor and that's where you make your arms rigid and when any part of your body moves, then your whole body moves at the same time and it appears that since people think in that staccato, jerky manner when you talk like that, they understand. So, Senator Landis, do-you-follow me?

SPEAKER WITHEM: Thank you, Senator Daub. Senator Maurstad. That's not necessary. Senator Beutler, you are recognized to close.

SENATOR BEUTLER: Senator Withem, members of the Legislature, just to indicate to you again what the amendment does, it deletes from the list of exemptions the Department of Corrections. It deletes them because it creates a situation where there could present itself a scenario that prisoners would have more rights than those outside prisons and I, for one, do not want to face with my constituency that possible scenario. It also creates the situation where somebody like corrections, and for that matter, the residence halls, could allow smoking in the workplace to the extent that there are workplaces in other kinds of public facilities in those particular public buildings and that would be contrary to what is allowed for the rest of our constituents in terms of their relationship to public buildings. And so I think in a number of different ways this particular exemption doesn't make sense and I think we need to look at residence halls too, at least insofar as they could allow smoking in the workplace to the extent that workplaces are included within those residence halls. So I would ask for the