

work here and are exposed to secondhand smoke are people who are saying, we don't have any agreement, we are not renegeing on any agreement, we're simply asking to have our air clean and a free, healthy work environment without tobacco smoke. I think that the problem with Senator Bohlke's bill is basically...the amendment to the bill is basically it guts it. We do have a ban in vehicles currently. It would continue that but it would do absolutely nothing else. It would do nothing for the exposure that all of us have of the tobacco smoke in the lobby or anywhere else in this or any of the other buildings. I think that it's important that we, as an employer, look out for the state employees and their health and well being. One of the charges of an employer is to protect and to create and health and safe working environment. Are we doing that by allowing people to smoke in those work environments? I would submit to you that we're not. I would submit to you that we're opening ourselves to litigation that could be very costly, in addition to the other costs that are associated both directly and indirectly from secondhand smoke, the exposure of the people who enter all of these buildings, even though that smoke may be limited to a certain area, is continuing to happen. The heating and ventilating system continues to share that tobacco smoke with all of those people. Are we in compliance with the Americans With Disabilities Act when people who have breathing difficulties can't even come into the back of the Chamber to send a message in to us because they can't breath through the air that's in there? I think we're not looking at the whole picture and not seeing the implications here beyond some discomfort that a few of us may feel. And I'm not diminishing that discomfort. I'm not diminishing the fact that some people are going to have problems in complying with this legislation, but I have to say is it some discomfort that we're concerned about? I think, given the choice, do we protect the person whose pain is self-inflicted or the person whose pain is inflicted by someone else? I would submit to you that we protect the person whose pain is inflicted by somebody else. The right of a nonsmoker to breathe clean air supersedes the right of a smoker to smoke. I think that when we have this issue before us it's an opportunity to set policy and that policy says that we value health, this is a health issue, it's an economic issue. The impact through...

PRESIDENT ROBAK: One minute.

SENATOR PREISTER: ...the cost of what we're attempting to do