

February 14, 1995 LB 121

deserve a smoke-free environment. That's not what this bill represents. It is, in its overreaching capacity, its extension beyond that principle that makes it problematical. And to argue, it seems to me, that the only way that you can achieve that is through a total ban, means that there's no attempt to find any middle ground. Somebody like myself who will be voting against 121 is not voting for the policy that would endorse making people who do not like or are asthmatically affected by smoke to be the victims of secondhand smoke. That's not the principle I'm endorsing. The principle I do endorse is that a fair accommodation between those people and other workers is possible other than a total ban and that to insist on a total ban and only a total ban is overreaching. It is the fact that this is an overreaching act that produces whatever negative votes there are. I support the Bohlke amendment because I don't think it's overreaching and there are many other provisions which I would endorse but which are not offered to me since this is a total ban and only a total ban.

PRESIDENT ROBAK: Thank you, Senator Landis. Is there any further discussion of the Bohlke amendment? Seeing none, Senator Bohlke...Senator Bohlke, do you wish to close?

SENATOR BOHLKE: Yes, Madam Chairman, members, when we originally discussed this policy in the Legislature I believe it was Senator Robinson and myself who went to the Rules Committee because it seemed a situation that should be addressed here in the workplace and, as I said before, in areas that people were trapped where they work. I believe that this recognizes that accommodation to people in the workplace. It also recognizes that there are those individuals who should have an area where they can smoke. I can choose not to go to that area. I can choose not to go to the senators' lounge. I can choose not to use the restrooms that are designated smoking. However, in a state vehicle that's in a pool of vehicles, I am not able to choose not getting a car where there had been smoking and, in fact, feel trapped; the same on walking into a building within ten feet I have to go through the entrance into the building. I think there is a difference of philosophy, I'm sorry, I don't think that it...in the person who...in Senator Preister feeling it guts the bill, what I'm just trying to do is recognize that it does something that I think is reasonable and is common ground and I ask you to support the amendment.

PRESIDENT ROBAK: Thank you, Senator Bohlke. The question