

SENATOR WILL:    Senator Hall.

SENATOR HALL:    Yes.

SENATOR HUDKINS:    Senator Hall, when you talked about not being able to hire or not hire or fire due to smoking, I understand that, but let's move to where they are consuming alcohol on their own time. Let's say that they go out habitually over weekends and Monday morning they either come in late or they don't come in till noon or they don't come in at all, would they...and if they are then fired because of job...poor job performance, would they be able to come back later and say, well, you fired me because of my consuming alcohol on my own time?

SENATOR HALL:    Not at all. Not at all, Senator Hudkins.

SENATOR HUDKINS:    Explain to me how that would be addressed.

SENATOR HALL:    They would be fired because of poor job performance, under your example, or being late for the workplace. It would have...there's no...the same would hold true for somebody who just was...who chronically overslept. It wouldn't matter what the purpose was. If somebody who was a, for example, a night person but not a day person, they came to work late, they did not perform up to par for the first half of the day and they were fired, it would make no difference what the reason. The argument would be that the job...poor job performance or the failure to arrive at the workplace on time would be the basis for which the termination would take place.

SENATOR HUDKINS:    All right. Thank you.

SENATOR WILL:    Thank you, Senator Hudkins. Senator Hall, on the first division of the Priestler amendment.

SENATOR HALL:    Thank you, Mr. President, and members, I rise in opposition to the striking of a nonprofit from the proposal, and because to do so expands the scope of the bill to an organization with regard to any lawful product when the primary purpose or objective of such an organization is to promote, control, limit or eliminate the use of such lawful product. The example of Clarkson Hospital, since Senator Chambers used it, I will go ahead and say it, I mean, it would exclude that group