

when it comes your turn. My impression is that if the employer fires the employee, if you read the bill, because the employer doesn't care for the products, the lawful products that the employee uses outside the employer's premises, that that is...that would be a breach of this law. And I believe it would give rise to a civil action on the part of the employee to be reinstated at his job. And I think that's accurate but, Senator Hall, you correct me when you get up if it's not. Now, I have to ask this body if you step away from this bill and take a look at it from a distance, is there good reason to single out one or two exceptions and say, employer, this is off base in an at will state? But we're going to go ahead and let you continue to fire because of the color of the eyes, because you don't like the fact they're divorced, because you don't like the friends they keep, that's okay, but lawful products, we're going to make that cause for wrongful firing. Now that doesn't make a lot of sense to me, unless you're in the lawful product business. And that's what it really is, you know. We're talking about an alcohol and tobacco bill here and let's face it. Or are we talking about the Ford dealer, the Ford dealer who says to his employees, you know the impression we give around town is important here, so when you're not here I want you driving Fords, I don't want you driving Chevys, I don't want you driving Hondas, and, by golly, the employee comes to work and the employer says, you know, over the weekend I understood that somebody told me they saw you driving a Honda to church. The employee says, well, that was my brother-in-law's, he was visiting me. I don't care, I'm going to fire you, so he fires him. The employee comes back and says, hey, that Honda is a lawful product, you can't fire me for that. The employer says, well, now wait a minute,...

SPEAKER WITHEM: One minute.

SENATOR BROMM: ...he says, I have a right to do that under LB 216, or I'm going to do that, and the employee says, you can't do that under LB 216. The thing that...the point is that even though this bill attempts to focus on just primarily, I think, probably talking about alcohol and tobacco, primarily, it could have effects beyond what we envision here. And if we want to not be an at will state anymore, then let's approach that from a broader perspective and decide what cause is. Teachers, teachers have a right to keep their employment unless they're...if they're tenured, unless there is just cause, okay. We've made that policy decision. If we want to move to just cause on employers, then let's do it, but let's do it in a