

February 13, 1995 LB 121

want to create differences. Either we treat them all alike or we don't exempt them at all. Thank you.

SENATOR CROSBY PRESIDING

SENATOR CROSBY: Thank you, Senator Beutler. Senator Chambers, on the Beutler amendment.

SENATOR CHAMBERS: Madam President, members of the Legislature, in addition to the Department of Corrections I think veterans' homes ought to be stricken too. First of all, there are people in the veterans' homes who are ill anyway and there is no need in allowing an activity which has been proved to create health risks to be taking place in a facility where people often are sent because they're ill anyway and cannot take care of their needs. So there probably should not be any exemptions at all. If Senator Beutler's amendment is successful or if it's not, I'm going to offer one after his or whatever place in line mine would fall behind other amendments to strike veterans' homes. I don't think there is any legitimate question about the harm caused by smoking. It is an addiction. There is no other addiction I know of where so much is asked to be done for those addicted when by doing so they cause others to share in that addictive element. If somebody drinks a lot their breath smells horrible but simply smelling their breath, it might make you ill, but it won't make you an alcoholic. Breathing secondhand smoke can give you the same kind of ailments that the original smoking can give you. So this that is being attempted here by LB 121 is a step in the right direction but these exemptions knock holes in the bill and what the stated purpose of the bill is. I know sometimes that there are apples which we have to consume one bite at the time in the same way that cigarettes kill people one puff at a time, but the fact remains that the Department of Corrections is under the complete control of the state. My support of Senator Beutler's amendment is for a different reason from the one he gave. He said, why allow prisoners to have rights that others don't have? What I say is, why will the state create an environment where something which has been established as a killer to occur? And there are people sent to this place against their will. They are placed in this environment pursuant to a court order and they cannot leave if they choose to. There was recently a lawsuit because some nonsmokers were being compelled to share cells with smokers. The courts have indicated that that suit can go on, but I don't know if it has reached a final resolution yet. So I will