

February 14, 1995 LB 121

set a good example for the children that continually come into this workplace and public institution, here's a bill that can avoid litigation. I think we need to certainly look at that. Here's a bill that will make everyone healthier and will make some people inconvenienced. Again I state, given the choice do we protect the person who's pain is self-inflicted or the person who's pain is inflicted by someone else? The right of a nonsmoker to breath clean air supersedes the right of a smoker to smoke. We have had an editorial by the Lincoln Star saying it's time that we, not with insensitivity, but that we look at how we do this, but that it is important enough that they gave an editorial that says the state should go cold turkey and do what business has already taken the lead in doing. A researcher, who was recently here in Nebraska, William Wiese (phonetic), a business professor at Seattle University, who was a keynote speaker in Nebraska City,...

SENATOR HALL PRESIDING

SENATOR HALL: One minute.

SENATOR PREISTER: ...stated that, this point, employers would be in a very weak position to continue exposing people to a known carcinogen. You simply can't tolerate smoking in indoor environments. Employers are going to be held culpable if they maintain conditions that would expose workers to smoke. They are going to lose when nonsmokers or even smokers sue and say they have been exposed to contaminants that could have been removed by eliminating smoking. Employers will tend to grossly overestimate the negative response from smokers. Studies have shown that the majority of smokers and the vast majority of nonsmokers support strict controls. I think the statistics of 80 percent nonsmokers in any election would say that wins. There would be a landslide by any estimation. This is a bill that would do for people that are state employees that they can't do for themselves, and I think...

SENATOR HALL: Time.

SENATOR PREISTER: ...that's the responsibility of state government. Thank you.

SENATOR HALL: Thank you, Senator Preister. You've heard the close. Question is the advancement to E & R Initial of LB 121. All those in favor vote aye, opposed nay. Have you all voted?