



Nebraska Clean Indoor Air Coalition

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Testimony before the Health and Human Services Committee
RE: Nebraska Clean Indoor Air Act.
BY: Daniel E. Wherry, President of the Nebraska Clean Indoor
Air Coalition, Inc.

I am pleased to be invited to testify today on behalf of the Nebraska Clean Indoor Air Coalition concerning the strengthening of the Clean Indoor Air Act. Our organization is made up of representatives of the Governor's Health Promotion Coordinating Council, the Department of Health, the American Cancer Society, American Heart Association, American Lung Association and many other volunteers such as myself. The Coalition has been organized to encourage Nebraska to become a leader among the states in achieving a smoke-free society by the year 2000.

A smoke-free society means education and promotion of a smoke-free lifestyle among adults and youth. It means positive self image and the ability to cope with social pressure. It means a full understanding and appreciation of tobacco smoking as a most powerful form of drug addiction. We strongly believe that an effective Clean Indoor Air Act is a major tool in promoting the benefits of non-smoking and a means of protecting nonsmokers from passive smoking.

An "effective" Act is the key. In the Centers of Disease Control, health risk telephone survey conducted by the Nebraska Department of Health, it was discovered that less than 37% of Nebraskans understand our act. There is an unclear public perception how the law works and to whom it applies. Therefore, we strongly recommend public education efforts--governments agencies, voluntary groups and private organizations should be encouraged to work cooperatively to provide materials and consultation regarding implementation of the law.

We also believe that the telephone survey indicates that a stronger law would be politically accepted by the public. 85.3% felt that the smoke from one person's cigarette can adversely affect another individual's health? Most people are more sensitive to the health consideration and therefore would be more receptive to stronger provisions for compliance.

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GOVERNOR'S HEALTH PROMOTION COORDINATING COUNCIL

In that regard, we believe the present weakness of the law is its lack of enforcement provisions. We recommend the use of injunctive powers to enforce compliance with the law. In Minnesota, since the inclusion of the power to enjoin repeated violations in the law, they have never had to use this enforcement mechanism. Its mere presence is an effective deterrent.

We urge the imposition of organizational liability. Currently only individual smokers are responsible. Penalties should be expanded to include the proprietor, owner, or person in charge of the premises. The Agriculture Department could easily assume responsibility in collecting restaurant compliance information at very little additional governmental expense.

Finally, we support a non-smoker preference in conflict resolution and provisions which would prohibit discriminatory action against persons who complain about smoking.

More and more statistics support the conclusion that financially for our state, non-smoking is good business. The savings produced by a strengthened Clean Indoor Air Act will certainly outweigh the low cost of implementation. An improved act will help to increase the Good Life in Nebraska and substantially reduce the amount of death and disease caused by tobacco smoking, thereby taking a step closer to bringing a major public health problem under control.