

but in deference to the demeanor of the body, I think I'll just let the rest of my time go.

SPEAKER BARRETT: Thank you. Senator Kristensen, do you dare?

SENATOR KRISTENSEN: Absolutely, Mr. Speaker. I could...we had a good time with you in committee. However, before we have a little more fun with you, there are some serious things that I would like to get into the record from you. And I think it's important. This is a good piece of legislation and it is one that we did hear in Judiciary, and it's a definite problem. Senator Landis, in your amendment it talks about violations and penalties of \$2,000 for each violation. Could you, for the record, tell us, does that go for each individual ad, or if it...

SPEAKER BARRETT: Senator Landis.

SENATOR KRISTENSEN: ...if it...does it go just towards the specific violation? In other words, they came into the State of Nebraska and advertised in one newspaper, is each sale of maybe a tube of this wonderful foot medicine going to work, or could you put into the record for us what the violations are in for? Is it individual sales, or is it a one-time penalty?

SENATOR LANDIS: Thank you. There are two parts to this answer. First, the answer is that it is for each, individual violation, in this case each individual sale. The rationale being you must be able to have a penalty that so takes the profit out of the fraud that it is sufficient to deter further behavior. If, in fact, you can make \$1,000 and pay a \$5 fine, you'll keep doing the same business. Secondly, I want you to remember that only the Attorney General can bring these kinds of actions, and the Attorney General can only bring these kinds of actions after they've given notice to the wrongdoer, given them a chance to stop, or held out the opportunity for a voluntary assurance in which, in the event the merchant will do it, wipes the slate clean for all past practices so long as you then give the assurance that they won't do it in the future. But, if the merchant won't do either of those things, and they insist on these fraudulent actions, then a per violation, per sale, or act of deception would be at risk of this kind of penalty.

SENATOR KRISTENSEN: Thank you. Part of the problem has been that, if we adopt Senator Landis' amendment and not the bill