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at here. I don't want someone in a restaurant that has a no smoking area and someone smokes in there to have any recourse brought back on him, or her, through this very simple bill. And it raises a caution flag for me. I hope there is some more discussion. Thank you.

SENATOR SCHIMEK: Thank you, Senator Janssen. The next light is Senator Cunningham. Did you wish to speak to the committee amendments, Senator Cunningham?

SENATOR CUNNINGHAM: Yes. Thank you. We had several meetings in my office. We had some concerns about this bill at first. And we had several meetings to talk about it. And we thought we had the issues worked out. And I voted to put it out of committee. But just today, we got a letter from Dick Nelson, from the Department of Health and Human Services Regulation and Licensure. And the last sentence, there's...the last sentence bothers me a little bit. And it says, LB 45 as amended would make these new regulations enforceable by an injunctive action filed by the department, a local public health department, or an affected party. And the last two words, "affected party", who is the affected party? That's something that bothers me. If...would Senator Thompson...or, does anybody know the answer to that one? Senator Byars says he knows.

SENATOR SCHIMEK: Senator Byars.

SENATOR BYARS: Thanks, Senator Schimek, Senator Cunningham. As I read and as I'm trying to come up to speed on the questions that Senator Janssen asked as far as enforcement, Section 71-5713, which does deal with the enforcement of the facility who is in violation, as I read it, does give the authority to the Department of Health and Human Services, local board of health, or any affected party. Now, I'm not certain legally what that means either, Senator. But there are the two separate ways of dealing with the violation. One is that it's a classified misdemeanor for the person who violates, but the person who is in control of the area that's in violation, it is an injunction, they can file an injunction against the facility. But I don't have an answer for that. But we can get an answer between now and Select File, Senator, to deal with. And if we