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FLOOR DEBATE

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confusion whether or not...and I'm going back a couple of years to a previous bill that dealt with smoking, like, in a bowling alley, whether or not the entire bowling alley is subject to the Nebraska Clean Indoor Air Act. And do you recall that discussion that we...

SENATOR THOMPSON: Yes.

SENATOR BOURNE: ...had a couple years ago? So I guess...

SENATOR THOMPSON: That was in committee hearing.

SENATOR BOURNE: Right. And I guess I'm just trying to get some clarification before we vote this. Okay. So say we have...say a portion of a bowling alley is subject to the Nebraska Clean Indoor Air Act. And as I understand this, if, say, Senator Synowiecki, who is a sensitive individual, doesn't like the smoking, he can institute an action in any court to enjoin a violation of someone's business. So say they're at the bowling alley...and I'm going to give you some time so you can clarify this, hopefully. Say there's smoking at the snack bar, but under the Clean Indoor Air Act the entire facility should be smoke-free. So if we pass this bill now, as amended, what this could say is that Senator Synowiecki could file a motion in any court within the state to say that "ABC" bowling alley cannot allow smoking in their facility. So we've...is that accurate? Go ahead, Senator Thompson.

SENATOR THOMPSON: No. They would have to be in compliance with the provisions of the Clean Indoor Air Act. They wouldn't be able to say they couldn't have smoking in the facility. But they would have to have a designated smoking area.

SENATOR BOURNE: Okay, but...all right, the original law, before we're going to pass LB 45, applied only to the...

SENATOR THOMPSON: Smoker.

SENATOR BOURNE: ...to the smoker. So what could be done then was, a party could file an injunction against any affected party. So I assume an affected party is a person who is