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SENATOR THOMPSON: ...my legal colleagues on the floor.

SENATOR VRTISKA: ...I was just curious about...when you talked about the affected party can file a suit if they have an allergy to smoking, do they have to prove that they have an allergy? Or how do you determine that this person who files in fact is affected?

SENATOR THOMPSON: Well, I would check with legal counsel on this, but an affected party would...I mean, it wouldn't necessarily be affected by the smoke. I could say, you're not...you don't have a designated smoking area, and you're a restaurant over 1,200 square feet. And if I went to complain somewhere...I think this is the gnat with a mallet sort of issue. But my first place I would go would be to my department of health, and the second place I would go to report that would be the State Department of Health and Human Services, which is required, with...to implement this. And so I guess this allows the citizen, if you get no recourse from your appropriate bodies that are supposed to be enforcing this act, to be able to bring an action. And I'm going to...I'd be happy to work with people between now and Select File on this. I don't know if this language is just typical of any injunctive action language involving any state law. And that's what I'm trying to find out right now. If it's not, I'd want it to be enforceable by the governments that are charged with that. So I don't have a big issue if that's it. But I also...on this level, I have to find out if this is the way injunctive action law is written in the state. I don't think it should be different for this bill

SENATOR VRTISKA: All right. Thank you.

SENATOR THOMPSON: But I'm willing to work. As Senator Byars mentioned, we're willing to work with people on that particular issue of an individual being able to bring action. I'm not an attorney, and I don't know. I just...I'm just amending...current law stands that way.

SENATOR VRTISKA: Thank you.