

anything good or bad against his problem. Senator Vickers says that he is concerned about the grandfather clause, rightfully so. He doesn't say the amendment is bad, he just thinks it is bad to have the grandfather clause on. Well, let me remind you that we don't have any law right now on the books. Now is it better to have one on the books that does have a grandfather before 1959, or have none, which is what we have right now. Senator Lamb suggests that maybe some day, somewhere, somehow somebody is going to tack the poor farmer on this. He acknowledges that it is not part of the bill, it is not part of the law, not part of the amendment, deals specifically with retail automotive distributors of gasoline, service stations. But maybe some day it might be interpreted to be agribusiness or a farmer. That is his argument. Senator Hefner says well you can get around the thing maybe with two 50 gallon tanks, as opposed to a 100 gallon tank. How many times do we hear that kind of argument about getting around a law. Of course, you can get around laws. Does that make this a bad idea? Right now we have general statutes that allow the Fire Marshal to set rules and regulations dealing with health, public safety, and he can do those kinds of things, or she. But because of the specificity of this language that was on the books, and how it authorized this rule and regulation that is now on the books, the county attorneys, and I'm not an attorney, but the county attorneys have told me, some county attorneys have told us that they cannot take this case to court is there is a violation because the authorizing statutory language that gave authority for promulgation of the rule and regulation has been removed from the books. It was removed inadvertently, admission by all the parties. All that Senator Marsh is trying to do is put this back on. Albeit 1959 grandfather clause probably isn't the best public policy, but it has nothing to do with the effects of LB 383 as it was first written. It deals with a different problem, doesn't hurt that bill. You should decide whether this amendment is better public policy than the one we have right now. I suggest that it is. I would urge you to pull the bill back from Final to Select so we can attach this amendment.

PRESIDENT: The motion is to return the bill to Select File for a specific amendment. All those in favor vote aye, opposed vote nay. Motion is to return LB 383 to Select File for a specific amendment. Please record your vote. The Chair will allow 15 seconds for you to record your vote.