

April 10, 1979

LB 321

he enforced one community to do this. Now when it was called to Mr. Drain's attention, Mr. Drain handled the problem internally but the point that I want to make is that had this not occurred in Bellwood, Nebraska, where the city fathers came to me and explained their problem, very likely the chain of events might have been started that would have been very costly to a small community. Very frankly, I happen to live outside the city limits so I am allowed to burn in my back yard where the businessman was not allowed to burn. I can raise more smoke barbecuing steaks than he was raising on his little fire but I think you understand the problem. I think, as Senator Kennedy has pointed out, the problems are different in small communities. Certainly the population density is not such that it is of any great concern. The local people are not concerned. I think that it is one of those instances where we allow the local people to make up their own minds. If the League of Municipalities comes here some day and suggest that the second class cities and villages be included in those provisions, then I would certainly give it another look. At the present time I think it is only fair that we honor the request that they not be included. I would just like to say also that there are some desirable parts of LB 321 that are still being retained but that if the amendment was not adopted...

SENATOR NICHOL: One minute.

SENATOR SCHMIT: ...I would vote against the entire bill. I ask for the adoption of the amendment.

SENATOR NICHOL: The motion is to return LB 321 for a specific amendment. It will require 25 votes. All those in favor vote aye, opposed no.

CLERK: Senator Nichol voting aye.

SENATOR NICHOL: Have you all voted? Record, Mr. Clerk.

CLERK: 27 ayes, 0 nays, Mr. President, on the motion to return.

SENATOR NICHOL: The motion is returned. Senator Schmit, do you want to do this now? All right, Senator Schmit.

SENATOR SCHMIT: Move for the adoption of the amendment.

SENATOR NICHOL: You have heard the motion to adopt the