

tween you and the fire department. So with that I would move the advancement of the bill.

PRESIDENT: The Chair recognizes Senator Schmit.

SENATOR SCHMIT: Senator Duda, I would like to ask you a question, please.

PRESIDENT: Senator Duda, would you respond?

SENATOR DUDA: Yes.

SENATOR SCHMIT: Suppose that I am working in the field and I have an accumulation of rubbish and debris under my cultivator and I dig it out and set it afire. Am I violating the law if we pass this bill?

SENATOR DUDA: Since the language has not been changed and evidently this is a matter of local concern. For instance, in Douglas County, you would be, in your county, no. Because in Douglas County we have an entire open burning ban except for agricultural purposes but in matter of practice, no, this would not change the practice you've ever had in the past but if this was a fire that was of the size that somebody might report it, it would be a matter of you communicating with your fire department and telling them what your intentions were.

SENATOR SCHMIT: Let me just say that in reference to the fact that we're not changing anything, I want to point out that when we gave the fire marshal the authority to impose a statewide burning ban it was never my intention, and I cannot speak for the rest of the Legislature, that that ban be imposed permanently. Now it seems to me that I recall that this last winter when we had a foot of snow over most of the State of Nebraska the fire marshal withdrew his ban on open burning, a very wise action I am sure because they couldn't start a fire on a bet. But I just want to point out to you I think this morning we've got ourselves into hot water a little bit over Senator DeCamp's 708. We are going to get ourselves in the fire if we advance this bill without further discussion. It is very unusual that we take a bill of this magnitude, and I want to say that, it doesn't seem to be that much of a bill but I can guarantee if you want to build a fire under somebody out in the country let the word get out that you have a statewide ban on...read the law, read the statute, read the bill. You just about stopped any kind of burning under any conditions and if I had brought this kind of a bill in to the Ag and Environment Committee in an attempt to comply with provisions of the Clean Air Act to cut down the particles in the air