

and so forth there would have been a hue and cry. Now I'm not saying that I'm against the fire marshal having the ability to declare a ban, a statewide ban, on burning but I believe there ought to be some requirements. I don't think we ought to just adamantly and arrogantly say that we will not allow anyone to set a fire. I don't know if a bunch of boy scouts can set a fire or not. I would guess maybe they can't and maybe they have some good idea in some areas because probably some fires have been started. But I think that we need to be very careful about the advancement of this bill and I just can't vote for it. I think that the law has worked well the other way. Let the fire marshal establish the ban and let those of us who need to have a waiver, ask for it, but to have a permanent statewide ban and then for me to have to go to my local fire department and in some areas I won't even know where to find them. In the area of a volunteer fireman we have additional problems because we have volunteer fire departments who cannot possibly respond to every single request. I think it is not going to work well and I think you ought to take a look at it. If you advance the bill you do it without my vote.

PRESIDENT: The Chair recognizes Senator Vickers.

SENATOR VICKERS: Mr. President and members, I hope there were a number of people listening to Senator Schmit just now because I thoroughly agree with him and, Senator Schmit, I hope this doesn't scare a lot of people off when you and I are agreeing on a couple of bills here this morning, but I think there is some real problems with what we are attempting to do and I've got to tell you that I come from an area of the state that I know what prairie fires are like. I've been involved in a few of them and they are no fun. As a matter of fact a few years ago there was a controlled burning by the volunteer fire department in my home town that resulted in a couple of deaths of a couple of elderly citizens in that small town but it was due to the fact that the wind changed and came up very, very strong and there were dry conditions, no question about it, but out in that part of the state that is practically 100% of the time it seems. But to put in the statutes that it will be illegal for me to burn some trash on my place unless I contact the fire chief who happens to be a volunteer fire chief, who happens to also be a farmer who God knows where he may be when I want to contact him, and I can't contact him in advance because I'm going to wait until it's a morning like this morning when it is very foggy or damp or dew is very heavy and the wind happened to be in the right direction. I can't ask him the day before if I can burn the next day because I don't know what the conditions are going to be like the next day. I've got to wait until that point in time and I think we are creating an impossible situation to ask people to go through that