

this. If a law passed by the state is challenged by another state, there is a difference between those two entities clashing, like Titans on the field of combat, which we hope would be the courtroom and not at the borders between one's national guard and one's state police. The court, I think, would view that differently than it would a situation where the state is charging an individual citizen under a criminal law. So, if I were Senator Morrissey, to try to be able to grapple with a distinction that I really believe exists, I would look at this as a two-tiered operation. At the top tier is where the state is trying to regulate, for the public health and welfare of the citizens, solid waste, hazardous waste and related matters. At the other level, where most of us might be concerned, it's the private citizen being brought before the bar of justice because of a law passed by the state to criminalize that individual's conduct. I'm going to support this bill. I think it is one of the best public policy statements that the Legislature will have put in place. I doubt that there will be many recoveries under it, because in the process of my wanderings through the labyrinth and corridors of the criminal justice system there are not a great number, there is not a great number of laws that have been ruled unconstitutional when you consider how many cases are brought and the number of laws that make up the criminal code. It is more a policy statement, in my opinion, than anything else. It will be a guide and a restraining influence on us, as legislators, as we seek to criminalize the conduct of citizens. It will be a similar guide and restraint for the cities. I don't see any downside on this bill. So, I'm going to support it, and I hope that Senator Morrissey will be comfortable...

SPEAKER BAACK: One minute.

SENATOR CHAMBERS: ...enough not only to support it at this stage, but at the second stage also.

SPEAKER BAACK: Thank you, Senator Chambers. Is there anyone else who wishes to discuss the bill? Seeing none, Senator Elmer, do you wish to close?

SENATOR ELMER: Mr. Speaker, just a couple of brief observations. First of all, there's been concern about the ordinances being subject to this particular provision. Virtually every municipality or village in the State of Nebraska is under the umbrella of the state statutes. There are two