

March 27, 1973

(Start of Belt #6)

The Committee struck that provision from the bill but it was also included in the original bill, but I move the bill be advanced.

PRESIDENT: The chair recognizes Senator Stull, then Senator Carpenter.

SENATOR STULL: Mr. President and members of the Legislature, I'd like to ask Senator Schmit a question.

PRESIDENT: Senator Schmit, will you yield to a question?

SENATOR STULL: Senator Schmit, what effect will, if we remove this clause, will have on the pollution of new factories in the state of Nebraska?

SENATOR SCHMIT: Well, the department will be able to establish standards for an area and it should encourage a new development, if we are to believe the Department of Environmental Control, because new companies, new industries, will know what their requirements are. They will be able to meet those requirements and they should be able to operate within those requirements. As you know, I originally opposed the removal of the one clause because I felt it might limit the establishment of new industries but I have changed my mind, frankly.

SENATOR STULL: Senator Schmit, what affect will this have on pollution caused by locomotives and airplanes and new automobiles and things in that classification.

SENATOR SCHMIT: Senator Stull, those areas of commerce that are inter-state will be subject to federal rules and regulations. The automobile regulations, of course, are...the pollutant standards are going to be established by the federal government for automobiles and they are not going to be governed by the Department of Environmental Control.

SENATOR SUTLL: Now, I would like to make a statement. At this time, I don't think we should take this out of our statute because it's my understanding that any new factory is also under the federal regulation and it will, actually, not make any difference because federal government is going to control on any new installation and they also control on automobiles, aircraft, locomotives. The only change it could make would be on the existing industrial installations that are already there and I think that if we repeal this, we are going to, perhaps, discourage people coming in to the state and for those reasons, I am going to vote against removing the Wyoming clause.

PRESIDENT: Next, Sen...Senator Richard Lewis. Go ahead.

SENATOR R. LEWIS: Mr. President, members of the Legislature, I'd like to direct a question to Senator Schmit, if I might. Do you yield, Senator Schmit?

PRESIDENT: Do you yield, Senator Schmit?

SENATOR SCHMIT: Yes, I'm ???.

SENATOR R. LEWIS: As I understand the Wyoming amendment, that no local restrictions can be more stringent than the federal regulation, is this true?

SENATOR SCHMIT: That's right.

SENATOR R. LEWIS: Now, if we remove this, does this mean that they can be...that local restrictions can be less restrictive than the federal, or more, or how do you explain