

March 7, 1980

LB 853

and improve the economy of the area will be built on the south Omaha tract rather than having that land set there for year after year and as I said, Richman Gordman, Hinky Dinky, all the businesses that have just recently...not too recently, but at least have been there for a few years are very concerned that another rendering plant will certainly bring a loss of business to them and I urge you to vote for this amendment. Thank you.

PRESIDENT: The question before the House is the adoption of the Labeledz amendment on LB 853. All those in favor vote aye, opposed nay. Record the vote.

CLERK: 26 ayes, 0 nays on adoption of Senator Labeledz's amendment, Mr. President.

PRESIDENT: The motion carries. The Labeledz amendment is adopted. Are there any further amendments, Mr. Clerk?

CLERK: Mr. President, Senator Beutler now moves to amend LB 853. (Read Beutler amendment found on page 1044 of the Legislative Journal.)

PRESIDENT: The Chair recognizes Senator Beutler.

SENATOR BEUTLER: Mr. President, members of the Legislature, I will be very quick. My amendments are both technical and Senator Schmit, as I understand it, has no objections to these amendments. They basically have to do with the notice provisions. When an applicant wants a license for a disposal area, it is necessary to get the approval of the local political subdivision and as it is necessary to have a hearing and that hearing is noticed under the present statute once, thirty days before the hearing. Now my experience in the law has been that local government officials often have a hard time with these notices unless you provide a little bit of flexibility because if a notice is not exactly thirty days before a hearing then you may have somebody objecting to the validity of the hearing on the basis that the notice was not exactly thirty days before. So what I am changing it to is that the notice shall be given once at least thirty days but not more than forty days before the hearing and all I am doing is adding a little bit of flexibility so that we don't get the local government officials caught off guard on a notice provision. Thank you.

PRESIDENT: The Chair recognizes Senator Schmit.

SENATOR SCHMIT: Mr. President and members of the Legislature, I support Senator Beutler's amendment. I heartily approve of it and I commend him for picking it out and obviously