

should be allowed to bankrupt a business for the purpose of making a better accessible business. I don't think that makes any sense to me, doesn't make any sense to anyone in this body.

SENATOR LUNDY: Thank you.

SPEAKER NICHOL: Is there any further discussion on the committee amendments? If not, Senator Schmit, did you wish to close on the committee amendments?

SENATOR SCHMIT: Yes, Mr. President, I think the amendment as amended by Senator Warner and Senator Beutler is a reasonable type of way to address the problem. We all know that when a road is built in an area that some of the beneficial results of that construction come or are to the business that exist along side of it. I just want to suggest that if a business goes broke during the course of the construction project, the new road is of no use to it. And certainly if that should occur or if we can avoid that, then we ought to avoid it, and if there is a cost, that business is located there first, the state comes along and chooses to improve the facility, and if there is a cost, then I believe it ought to be borne by all of us rather than by the individual. Many times on this floor in the 17 years I have seen us enact legislation for the public good. All too often the rights of the individual, the rights of the individual businessman, the individual person, individual laboring man are overlooked. I have heard Senator Chambers stand on this floor hundreds of times and defend the rights of one individual, and I have heard most of you do the same thing. The thing that I want to point out here is that when it comes to the State versus Loren Schmit, I am a very small entity. I think the State of Nebraska has a responsibility to attempt to be reasonable when they deal with their individual citizens. That is what the amendment says. I don't find anything wrong with it. I have talked to Mr. Lou Lamberty, I don't think he finds anything wrong with it. He has said many times, as did his predecessor, that they always attempt to do this but I can tell you from experience that when it comes out to the final word in the field frequently an individual engineer or an individual in charge of a project becomes a little arrogant about what is going on. It is not in the interest of the public safety, not in the interest of saving money for the public, it is one man against another man. And I think that in that case the