

March 29, 1976

CLERK: 15 ayes, 0 nays.

PRESIDENT: The House is under Call. All Senators please go to your chairs. We are under Call. And record your presence. Please, Senators, we are under Call. You must return to your chairs. Senator Anderson voting aye. Record your presence, please. We are taking votes on the prior question.

CLERK: Senator Kennedy voting aye.

PRESIDENT: Senator Murphy voting aye. Senator Duis voting aye. Senator Dickinson and Savage voting aye. Senator Savage moves to raise the Call. All in favor say aye. Contrary say nay. The Call is raised. Report the vote.

CLERK: 27 ayes, 0 nays, to adopt the Schmit amendment.

PRESIDENT: The Schmit amendment is adopted.

CLERK: Now, Mr. President, the next amendment is offered by Senator Warner. This is the amendment found on page 892 of the Legislative Journal.

SENATOR WARNER: Mr. President. Excuse me, Mr. President, members of the Legislature, I move the adoption of the amendment. This is an amendment I had filed but did not take up on General File. What the amendment does is adds the concurrence agreement with the Department of Roads in the scale section. Current law, if a truck can be required to weigh at a commercial scale as well, of course, as a state scale, and if they are 10% over on any single axle, that they can then shift a load to comply as long as they are still under gross. What the amendment does, it eliminates the weigh on a commercial scale per axle, not per gross, but on the axle, because, obviously, on a sixty, seventy, eighty foot scale on semis, you cannot just weigh an axle so they have to make a calculation which can not always be done with considerable accuracy. What this does is eliminates axle weighing on a commercial scale, retains, however, it on a state scale. It reduces the allowance from 10% down to 5% making it more restrictive which then would permit them to shift the load provided they had an axle that was under 5% so that the load could be shifted. It would be, primarily, I suspect, like grain, something that would move or could shift in route by the vehicle. Livestock already has a provision for shifting separately and I heard someone mentioning livestock. But this here will clear up a problem which has occurred occasionally, and as I stated, the Highway Department concurs in it that they feel this is a more effective control and it does reduce the limitation or the allowance, rather, from the current 10 to 5, and, Mr. Clerk, the Journal is in error. On page 870, excuse me, 893, it should show 10 stricken. The amendment, I think, does on line 18 but the Journal does not show it stricken. It shows both the 10 and the 5.

CLERK: What line would that be, Senator?