

January 31, 1973

SENATOR KELLY: Mr. President and members of the legislature, I oppose the kill motion and I do support this bill. When crops have to be moved, they have to be moved now. My concern is that when the route is established in the permit, that if the route is not followed, the penalty I believe to be slight therefore, I do not know the value in establishing the route in the first place. This is the reason for my question to determine the fine that would be put on the operator should he not follow the route that's in his permit. To my limited perusing it looks to me like it would be a maximum of \$100.00, and I don't believe that that would be a stiff enough penalty to have the operator on his own follow the route that is in his permit, cause in western Nebraska you can travel a lot of roads along time before anybody ever sees you. That's the point that I have on the bill.

SPEAKER: The Chair recognizes Senator Richard Lewis.

SENATOR RICHARD LEWIS: Mr. Speaker, and members of the legislature, I'd like to speak in opposition to the kill motion, and I'd like to try and answer Mr. Kelly's question there. Number 1 is that the road department assumes the responsibility for the route that this truck takes, and as far as penalties are concerned, if this license is revoked, in the midst of harvest that in itself is a tremendous penalty to these operators. I think the fact that the road department is assuming the responsibility and that these trucks are traveling only on this designated route is all the safety factors we need in this because they will take into consideration the condition of the road at any given time, they will not permit these in times of frost upheavels and this sort of thing and I think this is a very necessary bill for these people and, that have this particular problem.

SPEAKER: Senator Nore did you wish to be recognized? Senator Kelly did you wish to be called on again. Thank you. Is there any further discussion of Senator Carpenter's motion to indefinitely postpone, Senator Carpenter do you care to close. Senator Carpenter is closing on his motion to indefinitely postpone LB 152.

SENATOR CARPENTER: Well first I'd like to say to Senator Whitney, that if I'd introduced a bill like that at least I'd of tried to understand it, and let me call to Senator Whitney again, he said we didn't need this bill because we can already do it, and being frugal like I normally am, I want to save the state money, if we didn't need it why have it. So it's Senator Whitney's fault by which he made the statement that we could do the same thing this bill requires us to do with the bill that is now in existence, that's his statement. Now I come from a county that grows more sugar beets than any place in the middle west probably, and I never had a single farmer come to me to ask any relief to have any exceptions made in this bill, and the reason that I brought this up, I don't want to kill the bill either, but I don't want to put into effect a bill that is going to destroy a lot of roads in this state, and if you're going to get permits as the system now provides for in which you generally have to go to the district engineer which to my case is Bridgeport, it takes any where from a week to ten days to get a permit in any case. In my county about 80% of all the roads in my county throughout the county are hard surfaced, and I'm not willing to standby and let those people in the agriculture destroy the roads, because they are not built for this type of an operation, and this bill in my judgement will permit anybody to haul anything he can, the mechanics of the enforcement are impossible to comply with, if your going to give for examble a permit to every truck and every operator, your going to get yourself in such a mess of supervision you can't do it. So I have no objections, I think the bill ought to be revised and I only brought it to this body because if I hadn't made an objection you'd of passed the bill just exactly like it is. Now I want to continue a little