

CLERK: (Record vote read. See page 1683 of the Legislative Journal.) 30 ayes, 13 nays, 3 present and not voting, 3 excused and not voting, Mr. President.

PRESIDENT: A majority having voted in the affirmative, the bill is declared passed. We proceed on Final Reading to LB 122.

CLERK: Mr. President, I have a motion on the desk.

PRESIDENT: State the motion.

CLERK: Senator Warner would move to return LB 122 to Select File for a specific amendment. (Senator Warner's amendment appears on page 1683 of the Legislative Journal.)

PRESIDENT: The Chair recognizes Senator Warner.

SENATOR WARNER: Mr. President and members of the Legislature, LB 122, as you will recall, is a bill which under current provisions permits the hauling of sugar beets from field to factory or from stockpile to factory and that they can be 15 percent overweight on axle and gross. In addition, it also permits the hauling of other products, farm products, from field to storage and be 15 percent over on axle and gross. The amendment I have offered will limit the bill to sugar beets only. No change from the way sugar beets are. All of the discussion that I think I heard and by and large that we heard on previously discussed amendments on this bill has been related to the difficulty of sugar beets being loaded and knowing the weight. The amendment makes no change in sugar beets. It leaves them like it is. What the amendment does do though will eliminate the provisions for 15 percent overweight on other farm products for tandem axles, large trucks, commercial and farm trucks. The argument is whether or not there is some need on the tandem axle trucks to be overweight to haul from the field to the storage. And I would argue that there is no need for that provision. It is no harder to know if you are within the tolerance for weight than it is to know if you are 15 percent over the tolerance for weight. The next argument would be, well, if you can't tell...if you cannot tell how much load you have on to be within the provisions, it makes no logic to me that you could better tell if you are 15 percent over. But the real question is damage to the