

TRANSCRIPT PREPARED BY THE CLERK OF THE LEGISLATURE
Transcriber's Office
FLOOR DEBATE

February 2, 2001 LB 36

got to tell you, so far I haven't had the burden of proof met. I've got four examples; it would have been profitable if I'd have had some of those reports on my desk or if I heard some more from you, perhaps in your closing, that burden of proof would be important to me. Senator Thompson is arguing if you care about the rational allocation of a very limited valuable resource, which is state trooper time, you would send them out catching crooks and bad guys and making them be on the highway and doing highway patrol work for the safety benefits there. Listen to those two arguments again. Don't stop doing a safety check that is catching real dangers, and make sure highway patrolmen are doing highway patrolmen work, don't allocate the resource that way. Those are not two contradictory ideas, it's only because we're talking about LB 36. You can have somebody else do this inspection, can't you? Couldn't you have a well-trained Roads Department where they have offices all over this state do the function that a highway patrolmen, who is the only person that the state hires who can carry a gun and enforce the laws and do drug inspections do much the same thing? What we've done is we've done away with the check, we haven't put anything else in its place. I think on the argument that there wasn't anything to be worried about, now we know we might have at least something to be worried about because I got to say a school district that says it's okay by me that we don't have arms that work on the bus is okay because they're just football players isn't the local official I want to give this to. I think a certain amount of oversight of that board makes perfect sense in my mind. It just doesn't have to be the highway patrol. A way out of this, I got to tell you I would have to have more facts before I wouldn't go forward with this bill in this form today. I need to hear some more ugly examples, in which case, if I hear them I think one of the things we could do is this bill has the E clause, which means it becomes immediately effective upon passage, which means the inspections stop (slapping sound) tomorrow. If the E clause of this bill doesn't go, it will mean it will go into effect 90 days after the session, which will give us two things, the chance to find a bill this session in which, if we believe it, we can stick a Roads Department or another department responsibility of a less well-trained, uniquely skilled person to do this function and to give it to somebody else to do and to put it in place so that