

SENATOR KREMER: Senator Schmit, I hardly know how to answer your question the way you put it. It was discussed among those that participated in the drafting of the legislation, and others like you were concerned about the language being used in each day constitutes a separate offense. The best answer that I can give you is in the discussion, as I recall, the reason that this provision was put in the bill was to encourage enforcement. For example, I think about four years ago we passed a law saying that it was illegal to put water out on public roads, public highways. At that time we provided an escape clause in that the wind could change or a device could fail. But it has been felt through the years that this law is not being enforced. I think my best answer is that it was held by those that participated in the bill felt that it would encourage enforcement. That is the best answer that I can give you.

SENATOR SCHMIT: Well, I guess I would just say that I, of course, would not support that portion of the bill, at least, but certainly I think there is an adequate enforcement with the current penalty and as long as you have referred to the statute and the regulation to putting water on the road, I think that is a very good example of an indication where under normal conditions you might not have and would not have water on the road but an adverse wind or a very serious wind or a mechanical breakdown could cause water to go on the road. I think that we need to recognize that anything that is mechanical can give us problems, anything which we work with weather, or wind or meteorological conditions can make a change and certainly I think it is very easy for those of us who work in controlled environment such as this legislature, I think that that sometimes is not very well controlled, speak in terms of absolutes. But when we talk in terms of nature and working with equipment it is not nearly so absolute and I think we should take very serious cognizance of what we are doing here, because as I have said earlier the individual who is perhaps the least likely to afford the penalty will be the one on whom it will be imposed. Thank you very much.

PRESIDENT: Senator Schmit, I think that we would better. . . I see how this is going to work, this would take all day if we do this this way. I think that maybe we had better ask, Senator Kremer, I think that it would be better if you would finish your explanation. Because if every member would ask questions and would take five minutes, we would never get through with the initial explanation. So, if it is agreeable with the body I think that we should just go ahead and let you explain the bill, whatever time it takes, and then let's get into the questions in the order in which. . . . in the speaking order that I have up here. Go ahead Senator Kremer.