

April 16, 1981

LB 541

is made a part of the Department of Roads for organizational purposes even though it has been considered as a separate executive department for a number of years and does operate under the direct control of the Governor. The bill will clarify what is at present a needlessly complicated and misunderstood organizational structure. I move for the advancement of LB 541.

PRESIDENT: The Chair recognizes Senator Kahle.

SENATOR KAHLE: Mr. President and members, I would like to ask Senator Nichol a question.

PRESIDENT: Senator Nichol, will you respond?

SENATOR NICHOL: Yes.

SENATOR KAHLE: How does this affect the, as we call them, the "weigh boys" or the people that man the weigh stations and the portable scales? Are they going to be under the Highway Department or under the Patrol?

SENATOR NICHOL: I understand those are to remain under the Department of Roads with the exception of the people making arrests and so forth which are the Patrol, patrolmen.

SENATOR KAHLE: But do not the weigh people now have the right to arrest you or are they just allowed to give you a ticket?

SENATOR NICHOL: I am not sure exactly...are you talking about the people that do the arresting or the people that maintain the property or the people sitting in the station?

SENATOR KAHLE: Well, I am thinking of, basically, of course, it would be a little easier to understand I guess if we talked about the people that run around with the portable scales with the state car with the uniform on. They do not have the training or the, I suppose, all the official capacity of a patrolman but they can arrest you I believe?

SENATOR NICHOL: Senator Kahle, may I answer that in this way for the time being. I believe that those are going to remain with the Department of Roads but I will check into it to make sure of it so that by the time we get to Select File I will have a definite answer for you on that point.

SENATOR KAHLE: That is fine but I think we should clarify whether these people are part of the patrol or part of the highway system or what authority they are going to have under