

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

March 31, 1999 LB 585

truck. I doubt that those who run these trucks for a commercial living are going to do it on a regular basis, but somebody who might be in a pinch when you got to move a whole lot of grain in a short period of time where the trucks are not available, you might do some overloading. You might, "Deacon" Jones, I one time saw hay bales stacked on a truck, I thought I was coming to the Rocky Mountains, but it kept moving and I didn't get any closer. Then I saw it was hay stacked up, and then a wind blew, and, Senator...Senator Cudaback, when that truck fell over, the bale that hit the ground that was on the top, it landed in Council Bluffs, Iowa. (Laughter) That's how high that hay was stacked. Who is more likely to have a truck too long, overloaded or stack it too high? These exemptions were put into the law to acknowledge the realities of life in this state. The law should not be a straitjacket. It should not be like those iron clothes that the knights wore when they were going to rescue a fair maiden from a dragon. The law is supposed to have some sense and not be, as that man was made to say in Charles Dickens, the law is a ass. We are the ones who make the law. Our laws that we make don't come from Mount Sinai where we've been up there talking to somebody who created the world. We sit around here, we drive around here, we listen around here to the kind of circumstances that are confronting the people in this state. And the laws are crafted to make it possible for life to flow as smoothly as is feasible under all the circumstances. Sometimes like a teeter-totter is up for one person and down for another, and then down for that person and up for the other one, and that's why the laws of the states differ. Cities are allowed to enact their ordinances within the restrictions placed by the Legislature so that they can respond to local conditions. One size does not fit all. I've heard Senator Bromm on these school aid bills tell me that it is not true to say that a school is a school is a school. They are different. And when you can show factors that separate one thing from another, you have a difference. A rose is a rose is a rose is different from saying a highway is a highway is a highway. If we're dealing with different circumstances, why is it unreasonable to regulate those circumstances in a different way based on the nature of the circumstances? You do not require the difference between vehicles on the ground that you require between aircraft in the air. There are different...