

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

February 20, 2003 LB 186

what's being argued. The whole matter, to me, is having a regional, comprehensive look at what we're trying to do in terms of the image of the state, and protecting the byways and the state highways from those sorts of enterprises that distract, frankly, from the image. And junkyards are certainly one thing that everybody would agree ought to be regulated. Should they be regulated by the counties? Yes. And some do. A bunch of them don't. Some can't. But to the extent that they want to regulate in this area, they can do so. They can make more stringent regulations than the Department of Highways, because they have more power in this area. The Highway Department is limited to the statutory authority that we give them. But if the reason for this bill is that the Highway Department is not acting vigorously enough, the answer is not to cut out that jurisdiction and leave it to an assortment of jurisdictions, some of which don't even have the authority to deal with it. The answer is to encourage the counties to act, but also to get the Department of Roads to do what they're supposed to be doing. And believe me, I've been now acquainted with what is perceived to be a problem. And Senator Baker, I'd be glad to personally see that this gets enforced, and follow along and see if the Department of Roads is following up with the law. So I appreciate your concern that the junkyards be taken care of. And I think we can handle it by simply having the Department of Roads enforce the law that they have. And again, I would encourage you to insist that the Department of Roads enforce the law. As Chairman of the Transportation Committee, you ought to be able to do that. In fact, I know you can do that. So...or if the Department of Roads is saying they need more severe penalties to enforce the law, if that's the problem, we certainly can give them those more severe penalties. But I think their injunctive powers and the powers that they have ought to be enough to get the job done. So the motion to bracket...I mean, honestly, it's a motion I file rarely. But it's because I simply can't find any way to reconcile in my own mind what's happening on this particular bill. It's contrary to our modern notions of regional development and going together on some types of things and making improvements that are hard to make if you go at it from an individual county point of view, especially when 16 of the counties have no authority to do anything, even if they wanted to. So with that, I'll stop, and