

March 31, 1992      LB 1061

SENATOR WILL: No, again I think it's more directive language, simply saying the Legislature considers these things important, and because of that we're directing the commission to consider them as they reach decisions.

SENATOR CHAMBERS: So, why would you object to that word shall being changed to may, to give an honest statement of what this really means?

SENATOR WILL: Oh, I suppose I don't really view it as that big of a substantive change and...

SENATOR CHAMBERS: Then give it to me and you'll shorten the discussion. (Laugh.) And I think it is an honest statement of the situation, and I asked you those questions to establish it. People can get the impression, sometimes when the word shall is there, that these things must be shown to have been found affirmatively when the commission reaches its decision, but they don't have to find any of these things. All they have to do is consider them. And consider could just mean that we read through these things, that the bill says we have to do, and yeah, we considered them all.

SENATOR WILL: If they could demonstrate that they considered it, yeah, they will have fulfilled the letter of the law.

SENATOR CHAMBERS: Would you object to changing the shall to may?

SENATOR WILL: Oh, I'd probably sooner have it stay shall because I think it's a stronger statement of things that the Legislature thinks are important that the commission ought to look at. I don't live or die on the bill by that, by any means.

SENATOR CHAMBERS: Senator Will, did you hear Senator Withem, the other day, talking, expiating free, or all the scene of our intent language that we put in various bills? And he was talking about something to the effect that what we put in these bills ought to mean what they say, these things ought to mean what they say.

SENATOR WILL: I think I got up and agreed with him.

SENATOR CHAMBERS: Okay. Now, do you think a person could get