

January 27, 1982

LB 347

SENATOR CLARK: Senator Nichol.

SENATOR NICHOL: Mr. Chairman, I would have no objection to this amendment. It has been discussed previously at various times but it seems clear and I would have no objection to it.

SENATOR CLARK: Senator Kilgarin.

SENATOR KILGARIN: Yes, I would just like to say to Senator Beutler that last year there was a bill in dealing with the same issue. Fortunately that bill did not get out of committee. They have come back with a much more legitimate request, much more practical, and so the issue did have a public hearing, Senator Beutler, and I think this amendment is well worth our consideration, favorable consideration of it.

SENATOR CLARK: Senator Nichol, for what purpose do you rise?

SENATOR NICHOL: Just to add to what Senator Kilgarin said, and as I recall the bill last year had triple damages and all this sort of stuff which was not acceptable to the Judiciary Committee, and also to answer the question that was asked a little bit ago, Class II misdemeanor, maximum six months in prison or \$1,000 fine or both and there is no minimum fine so in answer to the question that was asked of Senator Johnson.

SENATOR CLARK: Does that answer your question, Senator Kilgarin? Senator Kremer.

SENATOR KREMER: A question of Senator Johnson, please. Senator Johnson, I did not quite understand your explanation. Are they actually stealing electricity or using it when they should not be using it under the scheduling program, which?

SENATOR L. JOHNSON: As reported in the committee hearings last year on a similar bill, it is very difficult to prove actual theft of the electricity unless they see the meters have been jumped or they are using illegal devices to divert the electricity around the meter.

SENATOR KREMER: See what I am getting at, Senator Johnson, you can sign up to go on a scheduling program and then at the source of supply they can shut you off whenever the load gets up to a certain rate and you can't tamper, all right, and using it when you should not be using it, that is one thing but actually stealing it and not paying for it, which one?