

January 27, 1982

LB 347

SENATOR SIECK: There is no penalty involved and we can't fine the individual, but what we tried to do in a public power situation which I am familiar with, we tried to collect the back but there is no way to figure it out, how much they have used because they bypassed. So we have to use their back payment practices so the only thing that we can do is penalize them to prevent them from doing this in the first place. It is very difficult to designate the amount of actual kilowatts that they are using because you might use say a thousand more one month than you do another month so it is very difficult.

SENATOR CHAMBERS: Senator Sieck, since you are familiar with these public power issues, in lines 15 through 17, we talk about benefits of service at less than the proper rate or charge. Now is there a law that makes it a violation for a director of a power board to receive service at a reduced rate or no rate? Does that violate the law that exists now? Do you know?

SENATOR SIECK: I cannot answer you. It is a policy, I will say this, now I don't know whether it is a law, but I know it is a policy of not to give directors or officials of a power district special services as you are talking about.

SENATOR CHAMBERS: If a director under this bill were not paying for the service he was receiving, what would this word "unauthorized" refer to? Who could authorize him to receive that service without paying for it? Or does this mean that once a rate is set, that rate must be paid by everybody who is receiving the service and nobody can authorize a deviation for a director?

SENATOR SIECK: That is correct. That is right.

SENATOR CHAMBERS: Thank you. Members of the Legislature, I am not sure how I feel about this amendment, but if it could prevent the travesty that occurred in Omaha recently where a director was not paying his bills at his tavern, then I think that would justify an amendment like this. Thank you, Senator Sieck. It is a tragic thing if a law is only designed to get the little nickel and dimers or even the big companies that might try to trick these services out of public power districts without paying for them and disregard the ones whose job it is, who are placed in a position of trust, and therefore it is their job to make sure these utilities are properly administered. So because of what has happened in Omaha, and so many terrible things happen in Omaha, I think I am going to support the