

do support this amendment and urge its adoption. Thank you.

SENATOR CLARK: I would like to introduce to the Legislature 23 students from the Sacred Heart School in Lincoln. Joanne Glushenko is the teacher. They are in the North balcony. Will you stand and be recognized please. Welcome to the Legislature. Senator Vickers.

SENATOR VICKERS: Mr. President, members, I rise to oppose this amendment and I think a few things need to be pointed out. It was pointed out by Senator Pirsch just a minute ago that the Judiciary Committee did hear an amendment along this line but I would point out that what this amendment is doing has some very, very broad applications it seems to me. First of all I think you need to understand that if somebody tampers with a meter out there, and I think Senator Sieck pointed out earlier that this was brought to the body's attention by the rural electric, if somebody tampers with a meter out there right now, it is illegal. The present language of the statute says, "or other public service". I don't think we need to narrow that down anymore. It is illegal at the present time but the lines 15 through 17 on page 1 where it talks about "any deceptive and unauthorized means obtains the benefit of service at less than the proper rate or charge", I think could have some broad applications when you consider the load management techniques that various of the rural electric are using. It could have some applications to apply to individuals who through no fault of their own perhaps use power because that equipment is not failproof. Sometimes it doesn't shut off our well. Sometimes the irrigator might go ahead and irrigate unknowingly that he is supposed to be shut off, and it seems to me that from the broad language here you could be charging that guy for a civil penalty or for a criminal penalty when actually he is paying for the charge. The electricity is running through his meter but I think the broadest application of all is on this second page, at the top of the page in lines 3, 4, and 5. Now originally this statute talks about telecommunications service. It is being expanded to include electric service, natural gas service, and so forth, and it says, "Any person who makes or possesses any device, instrument, apparatus or equipment designed or which can be used to obtain electric service, natural gas service, and so forth fraudulently"...is in fact guilty...on the bottom line, "...is guilty of a Class II misdemeanor". Well, I think anybody in this room probably could be guilty of that because I would guess that probably everybody in this room has in their possession someplace, in their tool box, or in their shop, or in their car a screwdriver and a pair