

Transportation Committee for public hearing. The bill was advanced to General File. I have committee amendments pending by the Transportation Committee, Mr. President.

**SPEAKER BARRETT:** Discussion on the committee amendments? Chairman Lamb, please.

**SENATOR LAMB:** Mr. Speaker and members of the Legislature, LB 78 is, as was indicated, a bill introduced by Senator Warner. It came to the Transportation Committee, and the bill has to do with powers of the Public Service Commission. It grants the Public Service Commission certain additional powers in regard to regulating motor carriers. I'm sure Senator Warner will delve into the provisions of the bill. However, we'll talk at this time about the committee amendments. The committee amendments can be summarized in three parts. First is the penalty section of the bill was reduced somewhat. The bill states that a civil fine, in an amount not to exceed \$5,000 for each day of violation, may be assessed. The committee scaled that down, it's still \$5,000, but it's not for each day of that...each day of the violation. Then the second part of the committee amendments has to do with the assessing of civil fines. As introduced LB 78 provides the following factors shall be taken into consideration by the Public Service Commission in assessing a civil fine for a violation, number one, the appropriateness of the penalty to the size of the business of the violator. The gravity of the violations and the good faith of the violator in attempting to achieve compliance after notification of the violation. The committee amendment strikes the requirement that the Public Service Commission take into account the size of business of the violator in the assessment of the civil fine. Then the third part of the committee amendment has to do with the...well, there is one more part here I should discuss, too. Currently the law provides that any party wishing to appeal a decision of the Public Service Commission shall appeal directly to the Supreme Court. The committee amendment would provide that any action of the Public Service Commission, pursuant to the civil fine provisions of the bill, shall be appealed to the Lancaster District Court, or the district court of the county in which the appealing party is domiciled. The other part of the committee amendment has to do with transportation cooperatives, whether or not they are regulated by the Public Service Commission. There are some new reporting requirements for transportation cooperatives, and this has been a long and arduous process in arriving at agreement on this part of the