

Tahiti. And Senator Withem's amendment says rather than the identity of the person who is giving the contract or making the contract, we should allow certain kinds of contracts to go unregulated. It depends on what the service contract is about rather than who is making the service contract that we should create the exemption. No, my theory is this. The exemption goes to people who you have a logical, rational reason to suspect will be able to stand by their contracts. They should be able to get out of (inaudible), and we have 12 exceptions in there. But if you don't have that situation, regulation makes sense. The difference may create a competitive disadvantage. I would confess that that's true, but rather than leave Nebraska consumers at the mercy of somebody knocking on their door and high pressuring them into a service contract, which is exactly what has happened in other states and which is why these kinds of laws exist, rather than to put those consumers at risk, which is what the Withem amendment does, you should defeat the Withem amendment. Now if that means that you have to imperil Senator Hartnett's bill because you don't want to create a distinction between a potentially fly-by-night operation and a natural gas company that has a huge capital investment in this state and you don't want to create a competitive disadvantage, well then I guess you have to let the chips fall where they may and vote against Senator Hartnett's bill. But the one person you don't want to disadvantage in my mind is the consumer who is going to have these people knocking at their door because they are not able to defend themselves, know what the situation is, know what the track record of the company is, know whether or not they have the financial resources to back up the contracts they make. They are the person that Senator Withem leaves out to dry and we shouldn't do it. Now, whether or not the natural gas industry is prepared to make a broader exception that lets them out plus the fly-by-nights, well that's...they...you can make an agreement with the lobby as far as I'm concerned, but that's not who we have to defend here.

SPEAKER BARRETT: One minute.

SENATOR LANDIS: It's the consumer we should defend and you can't defend the consumer and vote for the Withem amendment. You do protect other contractors who are private and who may suffer a competitive disadvantage, that's the person you protect, agreed, and there may be a legitimate argument there but you've picked the least able person to defend themselves to imperil with this amendment. I'd suggest you defeat the Withem