

SENATOR CHAMBERS: Okay, now on line 4, business or vocation affected with a public interest. Does that mean necessarily that it is an agency of the government or a political subdivision?

SENATOR KRISTENSEN: I believe it's for public employees, but I'm not sure I know what you're asking me entirely. Are you saying, is that for private employees or is that only for public employees?

SENATOR CHAMBERS: Can a business that is not operated by a political subdivision be affected with a public interest?

SENATOR KRISTENSEN: Yes.

SENATOR CHAMBERS: Okay, so it would...this would apply to the employees and those businesses too.

SENATOR KRISTENSEN: No, I think it's only solely for...I think it's been construed to be only public employees, but I could be wrong, Senator. I think it has been construed that way.

SENATOR CHAMBERS: All right then, let's go to line 6 and 7. In any business or vocation affecting the public welfare, and what you're saying is that the Industrial Commission that is set up to administer these laws deals only with cases involving public employees, meaning those who work for a political subdivision, and it would not handle cases involving businesses affected with the public interest or affecting the public welfare.

SENATOR KRISTENSEN: In general, those are the people that are school teachers, that are...people that are employed by the political subdivisions, yes. Now there may be businesses out there that don't fall into that. If there are, I don't know, Senator.

SENATOR CHAMBERS: Have you read of any cases or do you remember when you were in law school, seeing certain U.S. Supreme Court decisions that stated that even though a business was privately owned it was affected with a public interest and, therefore, laws that prohibited action by the state could apply to those businesses?

SENATOR KRISTENSEN: Absolutely. Those are the Fair Trade Act cases, those are the cases, or I suppose RICO would be an