

TRANSCRIPT PREPARED BY THE CLERK OF THE LEGISLATURE
Transcriber's Office

March 1, 2000

LB 1285

you do need some way to enforce these orders, and I think that's...that's very true. People need to look at that. And my guess is that if I would look around the body this morning most people are going to say, well, we...you got to have some way to enforce those orders; if fining is necessary then we should do that. The issue is, is there any limit on that, do the fines get to be such that they become almost punitive in nature, and that's something I'm going to try to work on between now and if the bill moves so I can look at that. The other, in the divided issue, we're only dealing with fines in the first division, is my understanding, which there's really two different bills here that we're looking at. The stay issue does...does happen with the fines because, if you get fined, can you stay the fines until you find out if you appeal? And I suppose that's where this is going to get kind of cloudy, is that even though the questions are divided they're still interrelated. And do you have a meaningful opportunity to stay that or are you faced with the choice of...

PRESIDENT MAURSTAD: One minute.

SPEAKER KRISTENSEN: ...pay the fine and run an appeal, or do you not appeal and avoid the fines? And that's the choice that you may have to have in there, and I would hope that...I know my time is running out, but I would hope that you would talk to us about how we can balance that, because that's a...it's isn't just this case. I think Senator Landis is right. The case at issue seems to be the US West and the Cox, but that's the one in the past. In the future there's going to be a lot of other different cases. And so I'm not so much worried about the past. I'm more concerned about what's going to happen in the future and people's ability to balance staying versus having to pay the fines during the stay, and hopefully we can work that out. Thank you.

PRESIDENT MAURSTAD: Thank you, Senator Kristensen. Further debate, Senator Chambers.

SENATOR CHAMBERS: Mr. President, members of the Legislature, I was somewhat occupied and didn't hear everything Speaker Kristensen said on the bill, but this particular division related to the potential \$10,000 fine is one that I readily