

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

March 1, 2000

LB 1285

PRESIDENT MAURSTAD: The committee amendments as amended are agreed to. Mr. Clerk.

ASSISTANT CLERK: Mr. President, Senator Bromm would move to amend with AM2456.

PRESIDENT MAURSTAD: Senator Bromm, you're recognized to open.

SENATOR BROMM: Mr. President and Clerk, I would like to ask leave to withdraw that amendment and I'll refile it...and refile it on Select File, if the bill goes to Select File.

PRESIDENT MAURSTAD: Without objection? Amendment is withdrawn.

ASSISTANT CLERK: Mr. President, I have nothing further pending at this time.

PRESIDENT MAURSTAD: Discussion on the advancement of LB 1285? Senator Kristensen.

SPEAKER KRISTENSEN: Thank you, Mr. President, members of the Legislature. I want to only speak once here before we go. I...there is a huge discussion that has tried to occur on several different occasions, and that is, what sort of animal is the Public Service Commission? Because they have a very unique history in this state, we have entrusted them, I've introduced legislation that's given them great latitude to make decisions. And in the past we've given them great opportunity, but we've never known quite how to handle the Public Service Commission. Are they an investigator? Are they a prosecutor? Are they a judge and a jury? Are they an appeals division? Are they a referee? Just what...what is their function? And we have...we have danced around that for a number of years, and that's the reason it's difficult in these cases to determine how do we treat them. Do we treat them like a court? Do we treat them like the court of appeals? Do we treat them like the Tax Equalization and Review Commission? And that's the reason there is some difficulty in how we deal with the Public Service Commission. We've had bills to do away with the Public Service Commission because they are a constitutionally created body, but they started off as the Railway Commission. And we could take away powers and authorities and duties, and to do those things