

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

March 27, 2000 LB 1285

telephone service, too, so.

SENATOR BROMM: Some of those taxpayers may not have telephones or may not have Internet or whatever, although I think probably that's not normally the case.

SENATOR JANSSEN: Could be, but I doubt that very much.

SENATOR BROMM: I agree with you.

SENATOR JANSSEN: All right, thank you very much for clarifying that for me, Senator Bromm.

PRESIDENT MAURSTAD: Thank you, Senator Janssen. Senator Wickersham, on the Bromm amendment to LB 1285.

SENATOR WICKERSHAM: Mr. President, I've had conversations with Senator Bromm off the microphone and rather, than engage in kind of a question and answer session here, I want to postulate what my understanding of certain language in the amendment is and then yield the rest of my time to Senator Bromm so that he can respond and advise whether that's his understanding as well. The language that I'm concerned about appears in subsection (5) that begins on page 3, line 25, and then extends on to page 4 into line 3. In various places, there is reference to "the applicant". Now it is my understanding that the only sensible reading of "the applicant" in the context of subsection (5) is that "the applicant" is the applicant for stay. Now the reason I raise that issue is because in a variety of contexts there may be, quote, an applicant in the original proceeding in which an order fining a company was entered. It is not that original applicant that could be the party that is referred to in lines...in subsection (5). The applicant at that point almost certainly has to be the applicant for stay. That is the only thing that makes sense. I don't think it's worth bringing an amendment to the amendment, but I do hope that we're able to establish a clear enough legislative record so if there's ever any doubt about what we meant that that is what we meant, that "the applicant" refers to applicant for stay at the point there is an application for stay at either the commission or the district court level. And, with that, I'd yield the rest of my time to Senator Bromm.