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LB 1249

SENATOR CUDABACK: One minute.

SENATOR LANDIS: ...the current law that you are now focusing your time and attention on inadequate, from your perspective? Is there some way that we've not protected customers that we should be?

SENATOR CHAMBERS: Well, my amendment does not go to the diversification.

SENATOR LANDIS: Right.

SENATOR CHAMBERS: Mine goes to the commission deciding to take remedial action, and I'm saying there should be some investigation undertaken with reference to the remedial action. They've already determined that there's been a violation.

SENATOR LANDIS: And do you believe that there is not investigatory authority now, with respect to the commission?

SENATOR CHAMBERS: This would say they shall investigate, so even if they have that authority, this would make it mandatory that they do that before they implement some kind of remedial action.

SENATOR LANDIS: Do you think due process would permit somebody to order a remedial act without giving an affected property interest a hearing, notice, and opportunity to face their accusers?

SENATOR CHAMBERS: Since we're legislating, I'd rather not leave it to a due process possibility, but simply state with two words what it is that I think should be there.

SENATOR LANDIS: All right. While that sidesteps the answer, there is a due process claim there, but you would rather not...

SENATOR CUDABACK: Time, Senator Landis.

SENATOR LANDIS: ...rely on that; would that be a fair