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LB 465

attempting to fix a jurisdictional issue for a number of persons who have...or entities that have appeals pending at TERC. Now those...the St. Joseph's case was decided on December 15, the year 2000. TERC, for some reason, is still holding onto the appeals, so they haven't formally dismissed them, giving some people hope that by the legislative action, we could perfect or make their appeals good. As I've indicated, I've got some misgivings about whether or not we can do that at all. On the other hand, one part of me says, well, they did what the rules said and maybe they should get the benefit of the rule. I don't know how you're going to decide to vote. One thing I might note is that Senator Hartnett's amendment contains the severability clause and, in this instance, I do think the severability clause is entirely pertinent and appropriate because the amendment that Senator Hartnett is offering really has nothing to do with the other provisions that are now in LB 465 except the general subject matter of TERC. It...and it is certainly not integral to the passage of the bill. In fact, I would say that I would think that LB 465 could pass whether or not AM1948 is attached to it, and it certainly isn't necessary to carry out any of the other provisions in LB 465. It is...it should be properly characterized, I think, if anybody cares about it, as standing alone. It is an entirely separate proposition with an entirely separate rationale and perhaps an entirely separate reason for its existence. So it has nothing to do, it wasn't part of the committee deliberations, wasn't part...obviously was not part of the committee amendments, and if anything, should clearly be considered to be a stand-alone proposition, should you chose to adopt it as a part of this...a part of this bill, and it should not, in my view, affect...

PRESIDENT MAURSTAD: One minute.

SENATOR WICKERSHAM: ...other provisions. Again, I think this is something that you should think about what decision you want to make. If you want to attempt, and I will again use the word "attempt", to solve a problem for people who filed appeals and thought they were following the rules but found out on December 15 that they were not following the rules, then maybe...maybe you want to change things, or attempt to change things for those individuals. Frankly, I'm a little bit