

March 18, 1974

SENATOR CARPENTER: Well how did you make up your mind this amendment ought to be passed?

SENATOR BURBACH: Senator Carpenter, when I heard you and Senator Proud did talk. I did not visit with Mr. Miller about this bill. I do know that you and Senator Proud were talking and you were talking about railroads, and I know that Senator Proud mentioned Mr. Miller's name, but I have not visited with him about this at all.

SENATOR CARPENTER: I didn't insinuate you had. I'm just trying to find out. First you don't know why you are opposed to the amendment so far as the application is concerned, and second you only became alerted when you heard the name railroads.

SENATOR BURBACH: Which I believe this is right, because they are regulated by ICC.

SENATOR CARPENTER: Well, if they are, because this bill could do no harm, could it?

SENATOR BURBACH: I don't know, I wish I knew.

SENATOR SENATOR: You do to know. You know that the interstate commerce commission regulates railroads on inter-state traffic, right?

SENATOR BURBACH: Yes.

SENATOR CARPENTER: You know for example, and personal knowledge that the Nebraska Public Service regulates them on intra-state law. So we forget about the federal. All we're talking about is the rate structure within the state when traffic moves only within the boundary of the state of Nebraska. Is that right?

SENATOR BURBACH: Except, as Senator Proud said, may or they have the rights and the authorities to have the same rates and work with others and not be anti...be covered with anti-trust laws in having the same or similar rates for similar hauls.

SENATOR CARPENTER: Well now, are you in favor of for example, you are in the grain business of the burlington railroads as an illustration to sit down with others in a like position and to set a rate for you in the way which may or may not be a conspiracy which may give you no right to intervene to determine whether they are or not.

SENATOR BURBACH: I think there are hearings before the interstate Commerce Commission and the Railway Commission.

SENATOR CARPENTER: The Interstate Commerce has nothing to do this forget the Interstate Commerce.

SENATOR BURBACH: All right, the Railway Commission.

SENATOR CARPENTER: All right.

SENATOR BURBACH: They do have hearings to adjudicate or to process their rate setting, and then if the determination is made whether they are correct or in violation of law.