

March 27, 1979

LB 460

SENATOR CHAMBERS: Now do you see a difference between somebody running an operation for profit and somebody living in a home where all activities of family and other aspects of life must be conducted?

SENATOR KAHLE: I see a difference in where somebody uses something to make their living as being very essential.

SENATOR CHAMBERS: Senator Kahle, I don't think we are communicating and perhaps it is the rural-urban split. Perhaps it is the generation gap that emerged earlier today on a different issue but I am going to rephrase the question. Do you see the difference between a business and a residence?

SENATOR KAHLE: Yes.

SENATOR CHAMBERS: Thank you very much. Senator Simon, I think you lost Senator Kahle's support when you kept emphasizing permissive, permissive, permissive. He is against permissiveness. Now you just leave that kind of thing alone and you have a chance to make it. I want Senator Kahle to be aware of the fact that there are roughly fourteen urban senators, they usually like to say that many from Omaha and Omaha area, and six from Lincoln. That is twenty. Twenty from forty nine leaves twenty nine so if there were to be a split based on urban-rural considerations, it would be difficult for a rural area Senator to override a veto. Now we know that not all issues will be divided that neatly but I think that when that issue is reared, its head is reared by Senators on a nonissue like this, it may not be the wisest thing in the world to do and I don't think this bill has to be resolved on the basis of what the rural people have received as a benefit and what the urban people have been placed under in terms of a detriment. I think the bill on its merit, even if it were mandate, if it were mandatory in its language, could be justified. Now whether or not you hate city people, whether or not you hate young people, I'm so glad to see you shake in the negative, but, Senator Kahle, what I want to get across with the bill being permissive as it is, it removes a cushion that currently exists between the utility companies and the public. If the permissive language is provide, the company cannot tell the people we are unable to respond to the problem that we see existing now because of state law. The people will then be able to make a case directly to that company and if the case is made, then the company can act. I think this is one of the few bills I have seen where permissive language does not defeat entirely the purpose and value