

March 27, 1979

LB 143

SPEAKER MARVEL: The House is under Call. All legislators are to be in their seats.

CLERK: Senator George voting aye; Senator Kahle voting aye.

SPEAKER MARVEL: Clerk, announce the vote.

CLERK: 25 ayes and 9 nays, Mr. President, on the adoption of the committee amendments.

SPEAKER MARVEL: The committee amendments are adopted. What shall we do with the bill? We have adopted the committee amendments to 143. Senator Simon.

SENATOR SIMON: Mr. President, members of the body, what 143 does and I think one important point I want to make is, a Supreme Court decision which came down this past summer, Craft vs. Memphis. Craft vs. Memphis was a case which was argued before the Supreme Court in which Memphis Light and Gas Company did shut off a Mr. Craft without due process.

SPEAKER MARVEL: The Call is raised.

SENATOR SIMON: That is, that there was a dispute on the bill and he was shut off without being able to dispute his bill. The Supreme Court ruled in favor of Mr. Craft. Following that Supreme Court decision, of course this bill is not new to the body, it has been introduced for the last two years. This is the third year but it sure has undergone a number of revisions. This year for the first time and if you will notice in the bill book, a number of utility companies came in and supported the bill. I think that is worth noting. A number of utility companies came in and supported the bill. In addition, after the committee amendments were drawn up, which as stated by Senator Newell, was a compromise between myself and members of the utility industry, no utility company opposed the bill. No utility company opposed the bill. Now there may be selective cases as Senator Warner has brought up where there are one or two companies in his particular district who have some concerns about the bill but I really believe if they will look at the committee amendments they would understand that there really is nothing that is going to cause them any type of problem. A couple other points that need to be brought up are a public power, through the Supreme Court decision right now, should have to follow these procedures.