

March 29, 1979

LB 495

to E & R for engrossment. We now go to item #8 which is Select File. First, do you have something on your desk, Mr. Clerk, in regard to LB 495?

CLERK: Mr. President, LB 495, the E & R amendments were adopted by the body on March 22nd of this year. At that time, Senator Fowler made a motion to indefinitely postpone and that is pending.

SPEAKER MARVEL: Senator Fowler.

SENATOR FOWLER: Unanimous consent to withdraw the kill motion. That was just a delay tactic.

SPEAKER MARVEL: Unanimous consent has been requested. Do I hear any objection? So ordered. I am sorry, Senator Newell. Your light is on. Senator Duis, light is on. Okay.

CLERK: Mr. President, Senator Fowler now moves to amend and those amendments are on page 1139 of the Legislative Journal.

SPEAKER MARVEL: Do you want to explain the amendments?

SENATOR FOWLER: Mr. President, members of the Legislature, the reason that I asked the bill to be held up, and I appreciate the courtesy of Senator Newell as introducer for the Miscellaneous Subjects Committee and Senator George who had the hearing for me to have an opportunity to submit these amendments. The bill deals with the regulation of cable television which in the State of Nebraska is left to the local subdivisions to establish franchises. The bill would remove or prevent an election being held for the awarding of that franchise and I think that that, in fact, is a good thing. It is not the sort of thing that can be adequately dealt with in an election and I think some horror stories from other states have been presented about competing companies and their trying to woo the voters and so on. But I do think that if we do not allow the public to be involved in election, that the least we should do is make sure that there is a requirement that when rates are established or when rates are changed that there be a public hearing and that there be notice to customers and that is what the amendment does. Now I think this happens in a lot of Nebraska communities already because in the original franchise agreement it was written into the contract that there would be public hearings on rate changes and those would be subject to regulation by the local governing board. So that is all that the amendment does is to make it clear that this Legislature, although it does not believe that there should