

April 3, 1979

LB 143

large gas line to that apartment, one big meter and the landlord has been paying the utility service. Under those circumstances, what these amendments would do is this. It would require the utility company to continue the service because there are tenants in that apartment. There are tenants there who could be adversely affected by a shutoff and it would then say to the utility company, utility company, you can go to court. You can go to court right now and in seventy-two hours you can get an order from a judge appointing a receiver, a receiver to collect the rents from the tenants and then from those rents shall come out those utility costs. The receiver takes the money and from the rents come the utility costs so the utility company is not beat out of any money. It gets its money but the services are continued to the tenants. Secondly, from those rents in the hands of the receiver do come the receiver's fees and finally from those rents in the hands of the receiver do come the attorney fees which the utility company had to incur by going to court. Now I think this is a very important amendment dealing with a very important social problem that Senator Simon is dealing with in LB 143 but it takes care of that one area that LB 143 really didn't take care of, to wit, the tenant situation where the landlord pays the utilities. It would be my intention to offer this amendment, and if passed by the body, to amend it one more time to remove telephone service because that was an oversight on my part and that of the bill drafter but I would wholeheartedly ask your support.

SPEAKER MARVEL: Senator Simon, you are next on the list and then Senator Dworak and then Senator Lamb. Senator Simon.

SENATOR SIMON: Mr. President, members of the body, I rise to oppose the Johnson amendments. I find myself in a little bit of a unique position. Philosophically I support much of what Senator Johnson is trying to do. However, I don't think that Senator Johnson really realizes the history behind this bill and the tremendous amount of time that has gone into writing LB 143 for this year. Let me just refresh some memories of the people on the floor and Senator Johnson, which I think you understand the history of the bill, but I am going to state it for the record. I have introduced this bill for three years. The first year the bill did not get out of committee. The second year the bill got out of committee and did not advance on General File. This year after extensive negotiations, literally hundreds of hours by a number of people, we were able to reach a compromise. Several utilities came in and testified