

please.

SPEAKER NICHOL: All right. You may speak now on your new amendment.

SENATOR SMITH: Again, I beg indulgence of this body. There was some concern after I introduced this amendment and the reason I am introducing the amendment is to protect businesses and the public but they then brought to me a concern about the way it could be construed. And so for the record, this is clarification, this is a definition that will clarify local measured service. By this amendment it is intended to outlaw mandatory local measured service. If local measured is offered, it shall be an optional service based with a true flat rate charge system as the other option. That is the purpose of it and it simply states, "Measured service shall mean basic local exchange service, the rate for which is a combination of a flat rate access line charge plus usage charges which may be based upon number of calls, length of calls, distance and time of day."

SPEAKER NICHOL: Senator Abboud, did you wish to speak on this? I have several lights on but I don't know if any of them wanted to speak on the present Smith amendment. May I see your hands if you care to speak on this? Senator Schmit, please.

SENATOR SCHMIT: Mr. President and members, I would just like to say one thing, we talked about drafting a bill. There has been some criticism because some people have said, we didn't see the amendments that you proposed. LB 1119 is a bill, it was drafted carefully, articulately and precisely to try to accommodate the needs of a changing industry. By contrast, you have LB 835. If there aren't a dozen amendments on that bill, I will buy the treats. I will tell you something, you build a scarecrow and that is what it is going to be. You build a bill on the floor of this Legislature without knowing the exact implication of each succeeding amendment upon the preceding amendments that have been adopted and the bill and you will come to regret it. Again, I understand what Senator Smith is trying to do. I commend her for it but this is not the place to do it and it isn't going to work. And when you get it done, you are going to live with it, you are going to live with it, and you are going to pay for it and, unfortunately, the public is going to pay. Now, we try to establish certain parameters but the plain facts are that the Public Service Commission does not have the regulatory authority. You have taken it away. And if you have