

February 17, 1981

LB 34

make the statutes more uniform and use the....not be so confusing to the districts having to use it. I would urge the body's adoption of this amendment.

PRESIDENT: Any further discussion? Senator Wesely, do you wish to speak to the amendment? The Chair recognizes Senator Wesely, and the House technically is under Call, so if somebody would want to make a motion to raise the Call. Senator Haberman. The Call is raised, thank you.

SENATOR WESELY: Mr. President and members of the Legislature, the amendment which is now before you deals with two sections of the bill which I claim some responsibility for including in this legislation and I am very concerned about this issue and feel that the amendment provided to you by Senator Vickers is one which I think offers a reasonable compromise on some concerns that I have. Just to backtrack for one second, let me give you a background on the issue involved. The impetus for this change which would allow for maintenance and repair and other types of contracts like that to be required to be let for bid started with this summer's contract that was let by NPPD to Brown and Root Company. There was a great deal of concern at that time. I looked into the issue and found that, in fact, that this was a very substantial contract and that there were a number of companies in the State of Nebraska who could have perhaps done that work perhaps at a lower price that didn't even have a chance to negotiate on that contract. But, quite frankly, the law did not provide that the power districts would have to let those kind of bids for a contract and so they didn't. I thought that wasn't right. I thought that when we are letting for bids with public power we ought to provide an opportunity for all responsible bidders, an opportunity to bid on that contract and then take the lowest responsible bid so that the rate payers in the State of Nebraska are served in the best manner possible at the lowest cost possible, and I think that is what this bill attempts to do. Now, unfortunately, both the major power districts in the state have found that this restriction which is in the original LB 34 may be too tight and that, in fact, there may be rare and occasional times that they cannot, in fact, let a contract for bid because of a number of reasons. And I think Senator Vickers has recognized this fact and has drafted an amendment which I feel deals with that issue, provides for some flexibility but at the same time does not open up the door again so we could have a repeat of the situation we saw this summer. I do have one question