

March 29, 1989

LB 628

As the bill was originally written that was the only way they could do it.

SENATOR LAMB: I see.

SENATOR BAACK: And this says that you're...however you do it, it still has to meet the test of reasonableness, if you end up in court. But they can continue to do it the same way that they're doing now. Yes.

SENATOR LAMB: So that should alleviate the concerns that those local officials had out there in regard to this bill.

SENATOR BAACK: I think it should. yes.

SENATOR LAMB: Thank you.

SPEAKER BARRETT: Any other discussion? Shall the committee amendments be adopted to LB 628? Those in favor vote aye, opposed nay. Record, please.

CLERK: 35 ayes, 0 nays, Mr. President, on the adoption of the committee amendments.

SPEAKER BARRETT: The committee amendments are adopted. To the bill as amended, Senator Robak.

SENATOR ROBAK: I move the bill be advanced.

SPEAKER BARRETT: Thank you. You have heard the motion to advance the bill. Discussion? Senator Wesely.

SENATOR WESELY: Thank you, Mr. Speaker, members. Some of you may have read recently a Lincoln Journal editorial regarding this piece of legislation and the history of it. I think we all need to...perhaps after I get a chance I'll send around a copy of that. The background of this bill was kind of unfortunate. It deals with Nucor Steel's lawsuit against NPPD against overcharging them, something like a \$4.4 million judgment that was granted in December of 1988. Part of their argument on that case was they got inadequate notice about rate increases. The notice that was provided by NPPD, up until I guess recently, their idea of public notice was to run a legal notice in the Columbus Telegram about upcoming meetings. Well NPPD obviously affects more than Columbus, Nebraska, it's in 87 of the 93