

SENATOR MATZKE: Madam President and members of the body, this is a good bill, but I support Senator Wickersham's amendment which would strike Section 2 which is really an anticompetitive provision which empowers municipalities to exert a regulatory authority over the construction of an erection of natural gas facilities contrary to federal law. The natural gas industry has been deregulated, much as the telephone industry and other utilities have been deregulated. This is somewhat of a turf battle. I think Senator Wickersham's amendment is very well taken because it just eliminates from a good bill a very bad provision that would, in effect, really prompt litigation involving municipalities which should be avoided. Also Section 2 uses as the criteria the economic well-being of the municipality which is a term without definition. This originally was another bill that was amended into 469. I strongly support Senator Wickersham's amendment and urge the body to adopt the amendment, striking Section 1 and 2, and then after that's been stricken approve the bill. Thank you.

PRESIDENT ROBAK: Thank you, Senator Matzke. Is there any discussion on the Wickersham amendment? Senator Bernard-Stevens.

SENATOR BERNARD-STEVENS: Thank you, Madam Chairman. Senator Wickersham, would you yield to a question? And the question I have for you is that both Senator Matzke and you, I think, are correct that the issue that you're dealing with is a controversial issue. And, again, I question these types of issues being on consent calendar but nonetheless here it is, so we have to try to decide this in 15 minutes. Is it...is it your...I would like to get a sense of where you are on this amendment. If your amendment would fail, what would your position be towards the advancement of LB 469 with the committee amendments?

PRESIDENT ROBAK: Senator Wickersham.

SENATOR WICKERSHAM: Well, there are good provisions in the committee amendments. I would hate to see the waters muddied but likely I would oppose the committee amendments if this amendment is not adopted.

SENATOR BERNARD-STEVENS: Okay, and that's...and that's what my sense was that these are battles that have been here before and, Senator Wickersham, I remember when we had the arguments about