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LB 496

SENATOR BOHLKE: Senator Chris Peterson.

SENATOR C. PETERSON: Thank you, Madam President, members of the body. We did spend a lot of time on LB 496 in the committee. And it is a complicated issue. And obviously, I think that everyone is aware that certainly there are some differing opinions on the issue of the right of way and the telecommunication's ability to use that. And one of those I think Senator Kristensen has mentioned and Senator Bromm has mentioned it, it was the way we came out with the committee amendments, which said that consent from a governing body for the use of a public highway within a municipality shall be based upon a lawful exercise of its statutory and constitutional authority. And that was changed from the original green copy and has now been approved and becomes the bill. And that was changed from police power, so that this would have actually more authority, and I think gets back to the idea of what Senator Kristensen was talking about. I'm very pleased that he said he would be willing to work on some of the language concerning that before Select File, because this is a concern over the issue of who does determine the exact street. If it's the public right of way, does it have to be in the main corridor? Do they have the option of going over one block so that the traffic is not disrupted? What actually is the city going to be able to do with the language that we've talked about here? And I'm certainly interested in having that further clarified, especially since the committee amendments have been adopted, I think, with the intention, as Senator Bromm mentioned, of that being left up to the cities to decide. So, again, I would look forward to working with Senator Kristensen and others, before Select File, to see if we can do some clarification on this issue. Thank you.

SENATOR BOHLKE: Thank you, Senator Peterson. Senator Beutler.

SENATOR BEUTLER: Senator Bohlke, members of the Legislature, Senator Kristensen, if I could ask you a couple of questions, since you have made a couple of assertions that...that I didn't fully understand.

SPEAKER KRISTENSEN: That's not surprising, I probably wasn't