

TRANSCRIPT PREPARED BY THE CLERK OF THE LEGISLATURE
Transcriber's Office
FLOOR DEBATE

April 28, 2005 LB 645

until December 31, 2007 on an entry...on their entry into the wholesale business. So in other words, they could not construct overbuild infrastructure and then compel by giving a favorable price, an under-market price, compel its use by someone else. That would be wholesale. Public power suppliers have indicated they would like to preserve the option of using the infrastructure on a wholesale basis where they would lease it to someone else for its use, and that's part of the study that is planned. The third part of the amendment deals with internal use of infrastructure by what we call public power or any company. There's never been any thought that anybody should be prohibited or prevented from utilizing technology for their own management and internal purposes. Obviously, that's a part of what we call progress. Section 4 of the amendment clarifies that public infrastructure may indeed be used for public purposes of the agency that owns it. The final key of the amendment creates a task force to consider the issues that are raised by all of this and to study them and to provide the report I described to you. Specifically, the 15 members of the task force, three would be appointed by the Governor, three would be appointed by the Executive Board of this Legislature, three members of the Public Service Commission would be a part of the task force, and three members of the Power Review Board or their designees would be a part of the task force, and finally, three members of the Information Technology Commission or their designees. And if I may illustrate what's the difference, in the case of the Public Service Commission, they have duties and responsibilities that come to them for which...and they are paid a full-time salary to discharge those duties. It was my thought in this amendment that three members of the Public Service Commission ought to go through what will obviously be a very informative and educational process of getting to know about this technology. So the members themselves are to participate because we aren't asking them to leave a private citizen's job and serve for nothing on this task force. Whereas when we get to members of the Power Review Board or the Information Technology Commission, these are citizen volunteers serving, and so the thought is that if they cannot afford to participate in this task force, then those organizations which have responsibility in our laws should have an opportunity to designate someone and compensate them for