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

April 28, 2005 LB 645

serving on the task force and being diligent in bringing about the report which we need. The task force is required to report by December 1 of 2006, and they are permitted to use a professional facilitator. Given that these are competing, competitive subjects upon which people have varying opinions, a facilitator may very well be necessary to the process in order to get a meaningful work product, and that is permitted. But we don't presume to make that decision for the task force, but rather will allow the task force to decide how it can best achieve its objectives. With that, I believe that I have given you the background of LB 645 as it was originally proposed, and what the proposed amendment is. I believe that others will speak to it from their perspective, because they have participated in what has been a, I think, a relatively long course of negotiations, and others want to examine me here on the floor on the subject matter. And with that, I will conclude my remarks, and thank you very much for your patience with me and for your attention. Thank you, Mr. President.

SENATOR CUDABACK: Thank you, Senator Brashear. You've heard the opening on AM1334, offered by Senator Brashear to the Telecommunication and Transportation Committee amendments, AM0316. Open for discussion, Senator Smith, followed by Senator Schrock.

SENATOR SMITH: Thank you, Mr. President and members. been an interesting adventure, so to speak, with LB 645 and other similar bills but in different committees. And Senator Hudkins and I have the distinct honor, I guess, or burden perhaps, of serving both on the Natural Resources Committee and the Transportation and Telecommunications Committee, so we've heard the various sides of this issue, and it's been quite interesting. I must admit a bias of mine up-front, followed by an acknowledgment. And my bias is with the private sector, with an acknowledgment that public power is working. I believe that public power in Nebraska has generated lower rates. I believe that the consumers and citizens appreciate that. And I would also say that there are a lot of similarities between the public power and private sector competition, but public power does enjoy a protection that probably no other entity in the state enjoys. And I have some concerns when an entity can enjoy the