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

April 28, 2005 LB 645

SENATOR BEUTLER: Okay. Sounds like we have other additional questions to explore.

SENATOR BRASHEAR: So we're addressing it from a public policy standpoint.

SENATOR BEUTLER: And actually, maybe the questions I have here will give you an opportunity to further delineate. In Section 2, with regard to the types of items and categories that are...that will be permanently prohibited, you have four categories: broadband services, Internet services, telecommunication services, or video services. Let's just start down that list--broadband services. Can political subdivisions and agencies currently...do they currently have authority to give broadband services?

SENATOR BRASHEAR: I don't believe there is any specific authority permitting it or prohibiting it.

SENATOR BEUTLER: So we're in a situation with regard to broadband services that our best informed opinion doesn't tell us whether they can do those services now or not; is that your position?

SENATOR BRASHEAR: That's right. We haven't made that public policy choice.

SENATOR BEUTLER: Okay, so with regard to...well, let's skip...

SENATOR BRASHEAR: And particularly not universally, in the opinion of all people affected.

SENATOR BEUTLER: Okay. Well, let me then do this a little out of order, and skip from Section 2 to the part that talks about public power districts and wholesale, which are only temporarily imposing a moratorium on. Now you're imposing a moratorium. Then am I to understand it, because we don't know what the law is, and in the interim, you want to be sure the law is that they cannot do broadband services; is that an accurate statement?