May 26, 2005   LB 645

SENATOR CUDABACK: About 36 seconds, Senator.

SENATOR CHAMBERS: Okay, I will stop now. Thank you.

SENATOR CUDABACK: On with discussion.   Senator Beutler,
followed by Senator Chambers, on the Chambers amendment, FA206.

SENATOR BEUTLER: Senator Cudaback, Senator Brashear,   I'd like
to also just explore some aspects of the bill from you, and
mostly I'm approaching the bill from the point of view of, one,
getting services to all citizens of the state, wherever they
might be, and secondly, protecting citizens who happen to be
caught in an area where there are potentially noncompetitive
situations.   So I'll have three or four different times to
speak, I suppose, but I kind of want to go through those kinds
of situations.   But as an opening question, apparently, in
little bits and pieces around the state, there has been
some...there have been some small projects relating to retail
services of one, in one area or another here, that have gotten
established and are operating.   Is there any provision in the
bill for the protection of existing investment that may be
public investment in whatever projects exist around the state?

SENATOR CUDABACK: Senator Brashear, would you...

SPEAKER BRASHEAR: Yes, Mr. President.   There is no provision to
stand still with regard to retail, and there is no authorization
for retail and, yes, I think even the debate on this floor on
General File has indicated now people are beginning to come
forward.   We're finding out that there are situations in which
that is taking place and there is no authority for it to do so.

SENATOR   BEUTLER: Would you have objection to general
grandfathering language that will allow these various small
situations to continue, so that the typical concern we have for
lost investment, unnecessarily wasted investment, for one, could
be recognized?

SPEAKER BRASHEAR: Senator Beutler, I'm certainly...of course,
we're all called upon to be reasonable in the approach to this,