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LB 645

Senator Chambers' concerns. Thank you.

SENATOR CUDABACK: Thank you, Senator Brashear. Senator Chambers.

SENATOR CHAMBERS: Thank you, Mr. President, members of the Legislature. Senator Brashear, you were responsive, but I still have some concerns. Senator Brashear, on page 3, which would be Section 5 that I'm looking at, even though my amendment says strike Section 2,...

SENATOR CUDABACK: Senator Brashear.

SPEAKER BRASHEAR: Yes, Mr. President.

SENATOR CHAMBERS: ...Senator Brashear, would you be willing to strike subsection (2), which would be lines 6 through 9 on page 3?

SPEAKER BRASHEAR: Senator Chambers, I'm examining it.

SENATOR CHAMBERS: That's why I'm not...I'm going to give you a chance to look at it.

SPEAKER BRASHEAR: Senator Chambers, that would turn a "yes" into a "maybe." That would...that would take a particular...potential wholesaler who clearly has the authority and make them a "maybe" or a "yes," and they could proceed without question.

SENATOR CHAMBERS: The reason I'm doing that, when we look at subsection (1), it says, "Except as otherwise provided in Section 3 of this act, nothing in this section shall be construed to restrict or expand any authority of a public power supplier as that authority existed prior to the effective date of this act." So whatever they could do before the effective date of this act, this bill is not designed to stop that. And Section 3 is talking about providing on a retail basis, which you say everybody has agreed is not going to be done anyway. So if we strike Section 2, subsection (2), a public power supplier would be authorized to provide on whatever basis since they use