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FLOOR DEBATE

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LB 1249

SENATOR FRIEND: Thank you, Mr. President, members of the Legislature. This is the amendment that Senator Landis and I look to now to try to move forward with this bill. AM3144 is virtually, virtually, not exactly, the amendment, not exactly, technically, the amendment that I had placed earlier on General File that we believed...that I believed, I should say, that corrected the inadequacies in our current law. And here's what that means, again, just to remind you. LB 78 in 1999 was adopted and it created statutes, 57-1301, I believe, through 57-1307, which dealt with enlargement or extension of areas, it dealt with enlargement or extension of an area, and rebuttable presumptions. It dealt with duplicative gas mains or services, that it was prohibited. That's what these sections do. We, with this amendment, are correcting some of those inadequacies that we see, but we're also, with the amendment, pulling out all of the exclusive territory language in LB 1249. Okay? Now, it removes all the statewide provisions of LB 1249. The parts of the bill that established service territories for jurisdictional utilities is gone. That's what this amendment will do. All the provisions creating the maps, detailing who serves what and where and to whom, those are eliminated. Now this is important because this was a key part of this bill. The element of creating the new bureaucracy that those provisions allowed for is deleted. They weren't...well, we came to the conclusion...some thought that they were necessary. We've come to the conclusion now that they aren't necessary because of the Hastings Lochland, all of the other things out in the central part of the state, western part of the state are being resolved. This retains the reversed provisions of LB 78 that I just talked about. Sections 11 through 17 of LB 1249 are the provisions of the old LB 78. They're being amended and they're transferred into the State Natural Gas Regulation Act. This is now...this flipped LB 78 is now the State Natural Gas...into...is into the State Natural Gas Regulation Act, and that was a 1990 bill...a 1999 bill, again, remember, that was a worked out effort between MUD and Aquila to govern boundary disputes in the city of Omaha metro area. And it does, this does, give the Public Service Commission jurisdiction to decide disputes over service areas upon complaints filed by MUD or Aquila. Okay? And those are...that's, like I said, that's the Gaza Strip. That's where the fights are. That's where it's happening. It's not