

AMENDMENTS TO LB1144

(Amendments to Standing Committee amendments, AM2107)

Introduced by Hilgers, 21.

1 1. Strike section 9 and insert the following new section:

2 Section 1. Section 75-109.01, Revised Statutes Cumulative  
3 Supplement, 2020, is amended to read:

4 75-109.01 Except as otherwise specifically provided by law, the  
5 Public Service Commission shall have jurisdiction, as prescribed, over  
6 the following subjects:

7 (1) Common carriers, generally, pursuant to sections 75-101 to  
8 75-158;

9 (2) Grain pursuant to the Grain Dealer Act and the Grain Warehouse  
10 Act and sections 89-1,104 to 89-1,108;

11 (3) Manufactured homes and recreational vehicles pursuant to the  
12 Uniform Standard Code for Manufactured Homes and Recreational Vehicles;

13 (4) Modular housing units pursuant to the Nebraska Uniform Standards  
14 for Modular Housing Units Act;

15 (5) Motor carrier registration, licensure, and safety pursuant to  
16 sections 75-301 to 75-343, 75-369.03, 75-370, and 75-371;

17 (6) Pipeline carriers and rights-of-way pursuant to the Major Oil  
18 Pipeline Siting Act, the State Natural Gas Regulation Act, and sections  
19 75-501 to 75-503. If the provisions of Chapter 75 are inconsistent with  
20 the provisions of the Major Oil Pipeline Siting Act, the provisions of  
21 the Major Oil Pipeline Siting Act control;

22 (7) Railroad carrier safety pursuant to sections 74-918, 74-919,  
23 74-1323, and 75-401 to 75-430;

24 (8) Telecommunications carriers pursuant to the Automatic Dialing-  
25 Announcing Devices Act, the Emergency Telephone Communications Systems  
26 Act, the Enhanced Wireless 911 Services Act, the Intrastate Pay-Per-Call

1 Regulation Act, the Nebraska Telecommunications Regulation Act, the  
2 Nebraska Telecommunications Universal Service Fund Act, the  
3 Telecommunications Relay System Act, the Telephone Consumer Slamming  
4 Prevention Act, and sections 86-574 to 86-579 and section 86-1308;

5 (9) Transmission lines and rights-of-way pursuant to sections 70-301  
6 and 75-702 to 75-724;

7 (10) Water service pursuant to the Water Service Regulation Act; and

8 (11) Jurisdictional utilities governed by the State Natural Gas  
9 Regulation Act. If the provisions of Chapter 75 are inconsistent with the  
10 provisions of the State Natural Gas Regulation Act, the provisions of the  
11 State Natural Gas Regulation Act control.

12 2. On page 7, line 6, strike "sections 9 and 10" and insert "section  
13 10".

14 3. On page 10, line 4, strike the second comma and show as stricken;  
15 and in line 5 strike the comma, show as stricken, and after "application"  
16 insert ", except that the commission may, upon good cause shown, allow a  
17 provider up to ninety days to submit a challenge to an application".

18 4. On page 11, strike lines 17 through 21, show the old matter as  
19 stricken, and insert the following new subsection:

20 "(2)(a) As conditions for accepting a grant under the program, the  
21 applicant and its successors and affiliates shall agree to:

22 (i) Offer broadband Internet service in the project area for fifteen  
23 years after receipt of grant funding; and

24 (ii) Commit to maintaining minimum speed capability of one hundred  
25 megabits per second for downloading and one hundred megabits per second  
26 for uploading in all locations for which the applicant will receive  
27 support for the period of time prescribed in subdivision (2)(a)(i) of  
28 this section.

29 (b) Any applicant that declines to accept the conditions described  
30 in subdivision (2)(a) of this section shall not be eligible to receive a  
31 grant. For any grant recipient, the commission shall have the authority

1 to enforce the performance of such agreed-upon conditions, including the  
2 authority to impose civil penalties pursuant to section 75-156."

3       5. On page 14, line 19, strike "3" and insert "4"; and in line 26  
4 after the first comma insert "section 75-109.01, Revised Statutes  
5 Cumulative Supplement, 2020,".

6       6. Renumber the remaining sections accordingly.