

AMENDMENTS TO LB388

(Amendments to Standing Committee amendments, AM530)

Introduced by Wayne, 13.

1           1. Insert the following new sections:

2           Sec. 11. (1) A municipality may provide broadband services or  
3 Internet services on a retail or wholesale basis. For purposes of this  
4 section, broadband services and Internet services have the same meaning  
5 as in section 86-593.

6           (2) A municipality shall conduct a feasibility study and hold a  
7 public hearing prior to developing a broadband network. Such feasibility  
8 study shall include the costs, benefits, and other pertinent information  
9 relating to development of a broadband network by the municipality. The  
10 purpose of the hearing shall be to discuss the results of the feasibility  
11 study and receive public input on development of a broadband network by  
12 the municipality.

13           (3) A municipality shall not develop a broadband network after  
14 December 31, 2031, except that a municipality may continue to provide  
15 broadband services or Internet services after such date using any  
16 broadband network developed by such municipality prior to December 31,  
17 2031.

18           Sec. 12. Section 86-594, Reissue Revised Statutes of Nebraska, is  
19 amended to read:

20           86-594 (1) Except as provided in the Educational Service Units Act  
21 and sections 79-1319, 81-1120.01 to 81-1120.28, 85-401 to 85-418, 85-1501  
22 to 85-1542, and 86-575 and section 11 of this act, an agency or political  
23 subdivision of the state that is not a public power supplier shall not  
24 provide on a retail or wholesale basis any broadband services, Internet  
25 services, telecommunications services, or video services.

26           (2) The provisions of subsection (1) of this section shall not apply

1 to services which an agency or political subdivision of the state was  
2 authorized to provide and was providing prior to January 1, 2005.

3 Sec. 13. The Revisor of Statutes shall assign section 11 of this  
4 act to Chapter 18.

5 Sec. 14. Sections 11, 12, and 15 of this act become operative three  
6 calendar months after the adjournment of this legislative session. The  
7 other sections of this act become operative on their effective date.

8 Sec. 15. Original section 86-594, Reissue Revised Statutes of  
9 Nebraska, is repealed.

10 2. Renumber the remaining section accordingly.