

AMENDMENTS TO LB 1

Introduced by Schumacher

1           1. On page 2, lines 16 through 22, strike the new matter  
2 and insert ", except that for any major oil pipeline as defined  
3 in section 5 of this act to be placed in operation in Nebraska  
4 after the effective date of this act, prior to having the rights  
5 provided under this section, any such person, company, corporation,  
6 or association shall (1) apply for and receive an order granting  
7 the application under the Major Oil Pipeline Siting Act and (2)  
8 enter into an agreement with the State of Nebraska to allow the  
9 state to lay, relay, operate, and maintain fiber optic cable in  
10 the right-of-way or other interest in real estate acquired through  
11 negotiations, eminent domain, or otherwise for the purposes of (a)  
12 law enforcement interfaces related to the pipeline, (b) electric  
13 load control and monitoring of pipeline facilities by public power  
14 companies, (c) such primary or backup pipeline data transmission  
15 as may be desired by the operator of the pipeline, and (d) data,  
16 broadband, or Internet protocol communications over any unused  
17 capacity of the fiber optic cable for (i) interconnection with  
18 fiber optic cables crossing the pipeline, (ii) providing rural,  
19 industrial, and community connectivity, or (iii) augmenting public  
20 or private communications infrastructure of the state unless an  
21 agency of the United States or court having proper jurisdiction  
22 makes a final determination that the placement of such fiber optic  
23 cable materially impairs the safety or operation of the pipeline or

1 materially impairs the speed of its deployment, is otherwise not  
2 in the public interest or within the sovereign police power of the  
3 state, or is preempted by the laws of the United States or treaties  
4 thereof".