

AMENDMENTS TO LB 1

(Amendments to AM55)

Introduced by Schumacher

1 1. On page 1, lines 19 through 23, strike the new matter
2 and insert ", except that for any pipeline which is larger than
3 six inches in inside diameter and which is to be constructed in
4 the State of Nebraska after the effective date of this act for
5 the transportation of petroleum, or petroleum components, products,
6 or wastes, including crude oil or any fraction of crude oil,
7 within, through, or across the State of Nebraska, but not including
8 in-field and gathering lines, prior to having the rights provided
9 under this section, any such person, company, corporation, or
10 association shall (1) apply for and receive an order approving the
11 application under the Major Oil Pipeline Siting Act if applicable
12 and (2) permit, subject to rules and regulations of the Public
13 Service Commission, the State of Nebraska to lay, relay, operate,
14 and maintain fiber optic cable in the right-of-way or other
15 interest in real estate acquired after the effective date of
16 this act through negotiations, eminent domain, or otherwise for
17 the purposes of (a) law enforcement interfaces and surveillance
18 related to the protection of the pipeline and related property,
19 (b) electric load control and monitoring of pipeline facilities
20 by the public power utility which provides electric power to the
21 pipeline facilities, (c) such primary or backup pipeline data
22 transmission as may be desired from time-to-time by the operator of

1 the pipeline, and (d) over any excess capacity of the fiber optic
2 cable, (i) data, broadband, or Internet protocol communications,
3 (ii) interconnection with fiber optic cables crossing the pipeline,
4 (iii) providing rural, industrial, and community connectivity, or
5 (iv) augmenting public or private communications infrastructure of
6 the state unless an agency of the United States or the Public
7 Service Commission determines that the placement of such fiber
8 optic cable would materially impair the safety or operation of the
9 pipeline or would materially impair the speed of its deployment
10 or a court having proper jurisdiction finds the requirements of
11 subdivision (2) of this section are not within the sovereign police
12 power of the state, are preempted by the laws of the United States
13 or treaties thereof, or impair interstate commerce. The Public
14 Service Commission may adopt and promulgate rules and regulations
15 to carry out its duties under this section".

16 2. On page 2, line 1, strike the new matter.