



Ninety-Eighth Legislature - Second Session - 2004
Introducer's Statement of Intent
LB 1176

Chairperson: David Landis
Committee: Revenue
Date of Hearing: February 25, 2004

The following constitutes the reasons for this bill and the purposes which are sought to be accomplished thereby:

A statewide interoperable wireless communication system for public safety and utility personnel is desperately needed, as underscored by repeated incidents in which the inability to communicate between and among emergency responders and various jurisdictions places public safety and utility personnel as well as citizens at risk. LB 1176 would establish the Statewide Communications Authority of Nebraska to develop, construct, operate, maintain, and manage a statewide wireless communication system for public safety and utility personnel. LB 1176 would repeal or amend many of the provisions of LB 1211 passed in the 2002 session, which authorized the formation of an interlocal agency to develop, construct, operate, maintain, and manage such a communications system for public safety and utility personnel. Following passage of LB 1211, an interlocal agency was established to develop such a statewide communication system.

LB 1176 would provide: "The Statewide Communications Authority of Nebraska would be a separate governmental subdivision and body corporate and politic, not a state agency, but an independent instrumentality exercising essential public functions. The authority shall have the powers and duties set forth in the Nebraska Public Safety Wireless Communication System Act. In furtherance of the purposes of the act, the authority may acquire real and personal property for use in connection with the system, construct any facilities necessary to implement the system, and operate, maintain, and manage the system."

LB 1176 would provide a sustainable source of revenue to pay off bonds issued for the design, development, construction, operation, maintenance, and management of a statewide communication system. LB 1176 would authorize the authority to levy a public safety communications charge upon the consumption of electricity "in an amount not to exceed 50 cents per month for each residential customer and \$2 per month for each nonresidential customer" as provided in the bill. LB 1176 provides that each municipal electric system, public power district, cooperative, or other person furnishing electricity or electrical service in the state "shall bill the charge to its customers, and the charge shall be collected as far as practicable at the same time as and along with the charges for electricity and electrical service in accordance with the regular billing practice of the supplier." The supplier of electricity "shall have no obligation to take any legal action to enforce the collection of any charge imposed pursuant to this section."

Consequently, the charge on the electric bill is simply a pass-through from the electric company to the Tax Commissioner.

In summary, the key provisions of LB 1176 are 1) to change the authority from an interlocal agency to a separate governmental subdivision and body corporate and politic as described in the bill; 2) to repeal or amend provisions from LB 1211 which would no longer be applicable since the authority is no longer an interlocal agency; 3) to authorize the authority to levy a “public safety communications charge upon the consumption of electricity as provided”; 4) to authorize the issuance of bonds or financing agreements with the Nebraska Investment Finance Authority; and 5) to abolish the Public Safety Wireless Communication Advisory Board.

Principal Introducer:

_____ **Senator Mick Mines**