

E AND R AMENDMENTS TO LB 1144

Introduced by McKinney, 11, Chairman Enrollment and Review

1           1. Strike the original sections and all amendments thereto and  
2 insert the following new sections:

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

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

8           (1) Common carriers, generally, pursuant to sections 75-101 to  
9 75-158;

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

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

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

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

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

23          (7) Railroad carrier safety pursuant to sections 74-918, 74-919,  
24 74-1323, and 75-401 to 75-430;

25          (8) Telecommunications carriers pursuant to the Automatic Dialing-  
26 Announcing Devices Act, the Emergency Telephone Communications Systems  
27 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 Sec. 2. (1) The Public Service Commission may create and maintain  
13 an official Nebraska location fabric broadband access map showing  
14 broadband availability and quality of service for all serviceable  
15 locations in Nebraska utilizing any federal funding that is made  
16 available for such purpose. For purposes of this section, serviceable  
17 location means any residence, dwelling, business, or building where an  
18 entity provides or may provide broadband services.

19 (2) The Public Service Commission may contract with private parties  
20 to create, improve, and maintain the map. When contracting with private  
21 parties, the Public Service Commission shall give preference to  
22 contractors providing mapping services to the Federal Communications  
23 Commission. The Public Service Commission may collect from providers of  
24 broadband services any information necessary to establish and update the  
25 map. Any information provided to the Public Service Commission by a  
26 provider of broadband services pursuant to this section that is  
27 confidential, proprietary, or a trade secret as defined in section 87-502  
28 shall be treated as such by the Public Service Commission.

29 (3) Any recipient of support from the Nebraska Telecommunications  
30 Universal Service Fund shall comply with the provisions of this section.  
31 Any grant recipient under the Nebraska Broadband Bridge Act, including

1 any entity that operates as an eligible telecommunications carrier in  
2 Nebraska as defined in section 86-1302 that wishes to participate in the  
3 Broadband Bridge Program created under section 86-1303, either directly  
4 or as a challenging party under section 86-1307, shall comply with the  
5 provisions of this section. Any grant recipient of federal broadband  
6 funding administered by the Public Service Commission shall comply with  
7 the provisions of this section.

8 (4) After the Federal Communications Commission completes the  
9 national Broadband Serviceable Location Fabric and accompanying National  
10 Broadband Availability Map, the Public Service Commission shall annually  
11 evaluate whether the continued maintenance of any annually updated  
12 Nebraska location fabric broadband access map created and maintained in  
13 accordance with this section is necessary. The Public Service Commission  
14 shall report its annual findings pursuant to this subsection to the  
15 Transportation and Telecommunications Committee of the Legislature.

16 (5) The Public Service Commission shall utilize funding provided by  
17 the federal Broadband Equity, Access, and Deployment Program authorized  
18 under the federal Infrastructure Investment and Jobs Act, Public Law  
19 117-58, to carry out this section.

20 Sec. 3. Section 86-134, Reissue Revised Statutes of Nebraska, is  
21 amended to read:

22 86-134 (1) No telecommunications company which provides intrastate  
23 interexchange service or basic local exchange service may abandon or  
24 otherwise discontinue such service in or to a local exchange area which  
25 it serves unless:

26 (a) ~~(1)~~ The commission finds upon application and hearing, if such  
27 hearing is deemed necessary by the commission, that one or more other  
28 telecommunications companies or communications providers (i) are  
29 furnishing comparable wireline telecommunications service, including  
30 voice over Internet protocol service, to the subscribers in such local  
31 exchange area or (ii) have been designated as eligible telecommunications

1 carriers in such local exchange area at the time of discontinuance or  
2 abandonment; and

3 (b) (2) The telecommunications company discontinuing  
4 telecommunications service to such local exchange area:

5 (i) (a) Notifies its subscribers in the local exchange area in  
6 writing of the abandonment, which notice shall be sent at least thirty  
7 days prior to the effective date of such abandonment;

8 (ii) (b) Refunds any unused prepaid subscription charges or other  
9 unused prepaid charges to each customer in the local exchange area prior  
10 to the effective date of the abandonment; and

11 (iii) (c) Prior to the effective date of the abandonment, reimburses  
12 its customers in the local exchange area for service charges which its  
13 customers incur in obtaining substitute service from another  
14 telecommunications company or communications provider or, in lieu  
15 thereof, pays other telecommunications companies or communications  
16 providers directly for such service charges on behalf of its customers  
17 making changes in their ~~telecommunications~~ service as a result of the  
18 abandonment.

19 (2) For purposes of this section:

20 (a) Communications provider has the same meaning as in section  
21 86-125; and

22 (b) Eligible telecommunications carrier means an eligible  
23 telecommunications carrier as designated under 47 U.S.C. 214(e), as such  
24 section existed on January 1, 2022.

25 Sec. 4. Section 86-164, Reissue Revised Statutes of Nebraska, is  
26 amended to read:

27 86-164 (1)(a) (1) Any telecommunications carrier that intends to  
28 place a line, wire, or cable across a railroad right-of-way shall request  
29 permission for such placement from the railroad carrier. The request  
30 shall be in the form of a completed crossing application, including  
31 engineering specifications. Upon receipt of such application, the

1 railroad carrier and the telecommunications carrier may enter into a  
2 binding wire-crossing agreement. If the railroad carrier and the  
3 telecommunications carrier are unable to negotiate a binding wire-  
4 crossing agreement within sixty days after receipt of the crossing  
5 application by the railroad carrier, either party may submit a petition  
6 to the commission for a hearing on the disputed terms and conditions of  
7 the purported wire-crossing agreement.

8 (b) Except as provided in subdivision (a) of this subsection in the  
9 case of good faith negotiation or hearing, if a railroad carrier does not  
10 respond to a completed crossing application by a telecommunications  
11 carrier in writing within thirty days after receipt of such application,  
12 the telecommunications carrier may petition the commission to enter an  
13 order for an expedited wire-crossing permit. The commission shall enter  
14 such order within fifteen days after the petition is filed, with notice  
15 of such order issued to the railroad carrier and telecommunications  
16 carrier. The expedited wire-crossing permit shall allow a  
17 telecommunications carrier to place a line, wire, or cable across the  
18 railroad right-of-way within a public road crossing in a manner that is  
19 not unreasonable or against the public interest, taking into account  
20 safety, engineering, and access requirements of the railroad carrier as  
21 such requirements are prescribed by the Federal Railroad Administration  
22 and established by rail industry standards.

23 (2)(a) Unless otherwise agreed to by all parties, the commission  
24 shall, after providing proper notice, hold and complete the such hearing  
25 provided for under subdivision (1)(a) of this section within sixty days  
26 after receipt of the petition. The commission shall issue an order of its  
27 decision within thirty days after the hearing. In rendering its decision,  
28 the commission shall consider whether the terms and conditions at issue  
29 are unreasonable or against the public interest, taking into account  
30 safety, engineering, and access requirements of the railroad carrier as  
31 such requirements are prescribed by the Federal Railroad Administration

1 and established rail industry standards.

2 (b) Upon issuance of an order by the commission under subdivision  
3 (a) of this subsection, the railroad carrier and the telecommunications  
4 carrier shall have fifteen days after the date of issuance to file a  
5 conforming wire-crossing agreement with the commission. The commission  
6 shall have fifteen days after the date of such filing to approve or  
7 reject the agreement. If the commission does not issue an approval or  
8 rejection of such agreement within the fifteen-day requirement, the  
9 agreement shall be deemed approved. The commission may reject a wire-  
10 crossing agreement if it finds that the agreement does not conform to the  
11 order issued by the commission. If the commission enters such a finding,  
12 the parties shall revise the agreement to comply with the commission's  
13 order and shall refile the agreement to the commission for further  
14 review. If the commission does not approve or reject the revised  
15 agreement within fifteen days after the date of refiling, the agreement  
16 shall be deemed approved.

17 (3)(a) Except as provided in subsection (4) of this section or as  
18 otherwise agreed to by all parties, if a telecommunications carrier  
19 places a line, wire, or cable across a railroad right-of-way pursuant to  
20 this section, it shall pay the railroad carrier, owner, manager, agent,  
21 or representative of the railroad carrier a one-time standard crossing  
22 fee of one thousand two hundred fifty dollars for each applicable  
23 crossing. In addition to the standard crossing fee, the  
24 telecommunications carrier shall reimburse the railroad carrier for any  
25 actual flagging expenses associated with the placement of the line, wire,  
26 or cable.

27 (b) The standard crossing fee shall be in lieu of any license fee or  
28 any other fees or charges to reimburse the railroad carrier for any  
29 direct expense incurred as a result of the placement of the line, wire,  
30 or cable.

31 (4) If a railroad carrier or telecommunications carrier believes a

1 special circumstance exists for the placement of a line, wire, or cable  
2 across a railroad right-of-way, the railroad carrier or  
3 telecommunications carrier may petition the commission for additional  
4 requirements or for modification of the standard crossing fee in its  
5 initial petition to the commission pursuant to subsection (1) of this  
6 section. If the petition is filed with the request for additional  
7 requirements or modification, the commission shall determine if a special  
8 circumstance exists that necessitates additional requirements for such  
9 placement or a modification of the standard crossing fee.

10 (5) This section applies to any telecommunications carrier certified  
11 by the commission pursuant to section 86-128. This section does not apply  
12 to any longitudinal encumbrance or any line, wire, or cable within any  
13 public right-of-way and does not change, modify, or supersede any rights  
14 or obligations created pursuant to sections 86-701 to 86-707.

15 (6)(a) A wire-crossing agreement between a railroad carrier and a  
16 telecommunications carrier that includes a provision, clause, covenant,  
17 or agreement contained in, collateral to, or affecting such wire-crossing  
18 agreement that purports to indemnify, defend, or hold harmless the  
19 railroad carrier from any liability for loss or damage resulting from the  
20 negligence or willful and wanton misconduct of the carrier or its agents,  
21 employees, or independent contractors who are directly responsible to  
22 such carrier or has the effect of indemnifying, defending, or holding  
23 harmless such carrier from the negligence or willful and wanton  
24 misconduct of the carrier or its agents, employees, or independent  
25 contractors who are directly responsible to the carrier is against the  
26 public policy of this state and is unenforceable.

27 (b) Nothing in this section shall affect a provision, clause,  
28 covenant, or agreement in which the telecommunications carrier  
29 indemnifies, defends, or holds harmless a railroad carrier against  
30 liability for loss or damage to the extent that the loss or damage  
31 results from the negligence or willful and wanton misconduct of the

1 telecommunications carrier or its agents, employees, or independent  
2 contractors who are directly responsible to the telecommunications  
3 carrier.

4 (7) For purposes of this section:

5 (a) Railroad carrier has the same meaning as in section 75-402; and

6 (b) Telecommunications carrier means a telecommunications common  
7 carrier as defined in section 86-118 or a telecommunications contract  
8 carrier as defined in section 86-120.

9 Sec. 5. Section 86-1301, Revised Statutes Supplement, 2021, is  
10 amended to read:

11 86-1301 Sections 86-1301 to 86-1310 and section 10 of this act shall  
12 be known and may be cited as the Nebraska Broadband Bridge Act.

13 Sec. 6. Section 86-1304, Revised Statutes Supplement, 2021, is  
14 amended to read:

15 86-1304 (1)(a) A provider, a cooperative, a political subdivision,  
16 or an Indian tribe may apply to the commission for a grant on forms  
17 provided by the commission. The grant shall only be used for development  
18 costs for a qualifying project. The application shall indicate the  
19 project area. The applicant shall provide matching funds equal to fifty  
20 percent of the total development costs of the project if located outside  
21 a high-cost area, or twenty-five percent of the total development costs  
22 of the project if located inside a high-cost area, as such areas are  
23 determined by the commission. The matching funds requirement in this  
24 subdivision shall not apply to any portion of a grant comprised of  
25 federal funds. In order to qualify, the project is required to provide  
26 broadband Internet service scalable to one hundred megabits per second  
27 for downloading and one hundred megabits per second for uploading, or  
28 greater. Applications shall be submitted on or before ~~October 1, 2021,~~  
29 ~~for fiscal year 2021-22, and on or before July 1 for each fiscal year~~  
30 ~~thereafter.~~

31 (b) An application from a political subdivision or an Indian tribe



1 shall be made as part of a public-private partnership with a provider.

2 (2)(a) As part of the application, the applicant shall agree to  
3 complete the project within eighteen months after the date the grant is  
4 awarded. The commission may permit extensions ~~one extension of up to six~~  
5 ~~months~~ upon request and for good cause shown.

6 (b) If a grant recipient fails to complete the project by the agreed  
7 or extended deadline, as the case may be, the recipient shall repay the  
8 grant as provided in this subdivision. If no extension is permitted, ten  
9 percent of the grant shall be repaid for each month that the project is  
10 not complete after the eighteen-month period, up to one hundred percent  
11 of the grant. If an extension is permitted, twenty percent of the grant  
12 shall be repaid for each month that the project is not complete after the  
13 extension ~~twenty-four-month~~ period, up to one hundred percent of the  
14 grant.

15 (3)(a) As part of the application, the applicant shall agree to  
16 submit the broadband network completed as a result of the grant to speed  
17 tests as determined by the commission. The grant recipient shall conduct  
18 the speed tests and submit the results to the commission. The speed tests  
19 shall be conducted for one week using a random sample of locations of  
20 consumers who subscribe to the network completed as a result of the  
21 grant.

22 (b) If the broadband network does not provide service at the speeds  
23 required pursuant to subdivision (1)(a) of this section according to the  
24 speed tests under subdivision (3)(a) of this section, the grant recipient  
25 shall be allowed a reasonable time to address the speed deficiencies and  
26 conduct a second set of speed tests as described in subdivision (3)(a) of  
27 this section. If the broadband network does not provide service at the  
28 speeds required pursuant to subdivision (1)(a) of this section according  
29 to the second set of speed tests, the grant recipient shall repay the  
30 grant.

31 Sec. 7. Section 86-1306, Revised Statutes Supplement, 2021, is

1 amended to read:

2 86-1306 (1) The commission shall establish a weighted scoring system  
3 to evaluate and rank the applications received each fiscal year.

4 (2) In each fiscal year, at least thirty days prior to the first day  
5 that applications may be submitted, the commission shall publish on the  
6 commission's website the specific criteria and the quantitative weighted  
7 scoring system the commission will use to evaluate and rank applications  
8 and award grants pursuant to the program. Such weighted scoring system  
9 shall consider, at a minimum:

10 (a) The financial, technical, and legal capability of the applicant  
11 to deploy and operate broadband Internet service;

12 (b) Whether the provider is designated as an eligible  
13 telecommunications carrier or will be so designated prior to the project  
14 completion date;

15 (c) The ability of an applicant to offer rates in the project area  
16 for the applicant's currently offered speed tiers that are comparable to  
17 the rates offered by the applicant outside the project area for the same  
18 currently offered speed tiers;

19 (d) The available minimum broadband speeds, with higher scores for  
20 faster speeds, except that no grant shall be awarded based on speeds less  
21 than those scalable to one hundred megabits per second for downloading  
22 and one hundred megabits per second for uploading, or greater;

23 (e) The ability of the broadband infrastructure to be scalable to  
24 higher broadband Internet speeds in the future; and

25 (f) Whether the applicant has committed to fund more than fifty  
26 percent of the total development costs of the project if located outside  
27 a high-cost area, or more than twenty-five percent of the total  
28 development costs of the project if located inside a high-cost area, as  
29 such areas are determined by the commission, from sources other than  
30 grants under the program, with higher scores for higher amounts of  
31 matching funds.

1           Sec. 8. Section 86-1307, Revised Statutes Supplement, 2021, is  
2 amended to read:

3           86-1307 (1) Within three business days after the application  
4 deadline described in subdivision (1)(a) of section 86-1304, the  
5 commission shall publish on its website the proposed projects, project  
6 areas, and broadband Internet service speeds for each application  
7 submitted.

8           (2) Any provider may, within thirty days after the publication under  
9 subsection (1) of this section, submit to the commission<sub>7</sub> on forms  
10 provided by the commission<sub>7</sub> a challenge to an application, except that  
11 the commission may, upon good cause shown, allow a provider up to ninety  
12 days to submit a challenge to an application. Such challenge shall  
13 contain information demonstrating that, at the time of submitting the  
14 challenge, (a) the provider provides or has begun construction to provide  
15 a broadband network in the proposed project area with access to the  
16 Internet at speeds equal to or greater than one hundred megabits per  
17 second for downloading and twenty megabits per second for uploading or  
18 (b) the provider provides broadband service through a broadband network  
19 in or proximate to the proposed project area and the provider commits to  
20 complete construction of broadband infrastructure and provide a broadband  
21 network to the proposed project area with access to the Internet at  
22 speeds equal to or greater than one hundred megabits per second for  
23 downloading and twenty megabits per second for uploading, no later than  
24 eighteen months after the date grant awards are made under the program.

25           (3) Within three business days after the submission of a challenge  
26 as provided in subsection (2) of this section, the commission shall  
27 notify the applicant of such challenge. The applicant shall have ten  
28 business days after receipt of such notification to provide any  
29 supplemental information regarding the challenged application to the  
30 commission.

31           (4) The commission may require a provider submitting a challenge

1 under subsection (2) of this section to provide speed test results in the  
2 challenged portion of the proposed project area. Such speed test results  
3 shall be provided in a manner prescribed by the commission.

4 ~~(5)~~ (4) The commission shall evaluate the information submitted in a  
5 challenge and shall not award a grant if the information submitted under  
6 subsection (2) of this section is credible and if the provider submitting  
7 the challenge agrees to submit documentation no later than eighteen  
8 months after the date grant awards are made for the then-current fiscal  
9 year under the program substantiating that the provider submitting the  
10 challenge has fulfilled its commitment to deploy broadband Internet  
11 service with access to the Internet at the stated speeds in the proposed  
12 project area.

13 ~~(6)~~ (5) If the commission denies an application for a grant based on  
14 a challenge and the provider which submitted the challenge does not  
15 provide broadband Internet service to the proposed project area within  
16 eighteen months, the provider shall not challenge any grant for the  
17 following two fiscal years unless the failure is due to factors beyond  
18 the provider's control.

19 Sec. 9. Section 86-1308, Revised Statutes Supplement, 2021, is  
20 amended to read:

21 86-1308 (1) For each fiscal year, the commission shall approve grant  
22 funding for all qualified applicants within the limits of available  
23 appropriations.

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

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

28 (ii) Commit to maintaining minimum speed capability of one hundred  
29 megabits per second for downloading and one hundred megabits per second  
30 for uploading in all locations for which the applicant will receive  
31 support for the period of time prescribed in subdivision (2)(a)(i) of

1 this section.

2 (b) Any applicant that declines to accept the conditions described  
3 in subdivision (2)(a) of this section shall not be eligible to receive a  
4 grant. For any grant recipient, the commission shall have the authority  
5 to enforce the performance of such agreed-upon conditions, including the  
6 authority to impose civil penalties pursuant to section 75-156.

7 ~~(2) As a condition of accepting a grant under the program, the~~  
8 ~~applicant shall agree to provide broadband Internet service in the~~  
9 ~~project area until released from the applicant's commitment by the~~  
10 ~~commission.~~

11 (3) The commission shall not add to the obligations required of a  
12 grant recipient except as specifically authorized under the Nebraska  
13 Broadband Bridge Act or as required by federal law to access and  
14 distribute federal funds appropriated for the purpose of broadband  
15 expansion after the grant is awarded without the consent of the grant  
16 recipient.

17 (4) The maximum grant amount awarded under the program with respect  
18 to any single project shall be five million dollars.

19 Sec. 10. (1) Nothing in the Nebraska Broadband Bridge Act shall be  
20 construed to authorize the commission to regulate Internet services as  
21 prohibited by subdivision (1)(d) of section 86-124.

22 (2) The commission shall take reasonable steps to ensure that an  
23 applicant meets the obligations described in subsections (2) and (3) of  
24 section 86-1308. The commission shall not deny an application based on  
25 prices or terms and conditions offered, or regulate any term of service.  
26 The commission's weighted scoring system under subdivision (2)(c) of  
27 section 86-1306 may take into consideration an applicant's terms and  
28 conditions of service.

29 Sec. 11. Sections 11 to 16 of this act shall be known and may be  
30 cited as the Precision Agriculture Infrastructure Grant Act.

31 Sec. 12. For purposes of the Precision Agriculture Infrastructure

1 Grant Act:

2 (1) Adequate precision agriculture connectivity means a download  
3 speed of at least one hundred megabits per second and an upload speed of  
4 at least twenty megabits per second;

5 (2) Commission means the Public Service Commission;

6 (3) Program means the Precision Agriculture Infrastructure Grant  
7 Program created in section 13 of this act; and

8 (4) Provider means a wireless network provider that provides  
9 adequate precision agriculture connectivity.

10 Sec. 13. (1) The Precision Agriculture Infrastructure Grant Program  
11 is created. The commission shall administer the program. The purposes of  
12 the program are to:

13 (a) Propel Nebraska agricultural producers to lead the nation in  
14 precision agriculture connectivity, sustainability, traceability, and  
15 autonomy to accelerate rural economic development; and

16 (b) Provide high-speed Internet service to farm sites as defined in  
17 section 77-1359 in unserved areas of the state as defined in section  
18 86-1302.

19 (2) For the purpose of carrying out the program, the commission may  
20 utilize funds provided to the state through the federal Broadband Equity,  
21 Access, and Deployment Program, not to exceed two million dollars per  
22 year.

23 Sec. 14. (1) A provider, an agricultural cooperative, an  
24 agronomist, or an agricultural producer may apply to the commission for a  
25 grant under the program. The application shall be made on forms  
26 prescribed by the commission.

27 (2) Grants shall only be used to provide:

28 (a) Adequate precision agriculture connectivity to on-farm  
29 structures and devices, including, but not limited to, tractors,  
30 combines, irrigation systems, livestock facilities, and farm offices;

31 (b) On-farm traceability solutions that satisfy food supply

1 stakeholder demand, including blockchain;

2 (c) Products that improve soil health, water management tools and  
3 sensors that facilitate judicious use of water resources, and products  
4 that promote the use of water efficiency seed technologies that lower  
5 agriculture's water, carbon, and nitrate footprint; and

6 (d) Products that use autonomous solutions in agricultural  
7 machinery, including, but not limited to, grain carts, spreaders,  
8 precision drone scouting, and scouting robots.

9 (3) The commission shall award up to one-half of the available grant  
10 funds for the purpose described in subdivision (2)(a) of this section and  
11 up to one-half of the available grant funds for the purposes described in  
12 subdivisions (2)(b), (c), and (d) of this section.

13 Sec. 15. If the grant application is to provide adequate precision  
14 agriculture connectivity as described in subdivision (2)(a) of section 14  
15 of this act, the applicant shall agree to:

16 (1) Complete the project within twelve months after the date on  
17 which the grant is awarded. The commission may permit one extension of up  
18 to six months upon request and for good cause shown; and

19 (2) Submit the connectivity to speed tests. If the speed tests show  
20 that the connectivity is not adequate precision agriculture connectivity,  
21 the applicant shall be allowed a reasonable time to correct the  
22 deficiencies. If the applicant fails to provide adequate precision  
23 agriculture connectivity after the second set of speed tests, the  
24 applicant shall repay the grant.

25 Sec. 16. The commission may adopt and promulgate rules and  
26 regulations to carry out the Precision Agriculture Infrastructure Grant  
27 Act.

28 Sec. 17. Sections 4, 11, 12, 13, 14, 15, 16, and 18 of this act  
29 become operative three calendar months after the adjournment of this  
30 legislative session. The other sections of this act become operative on  
31 their effective date.

1           Sec. 18.   Original section 86-164, Reissue Revised Statutes of  
2 Nebraska, is repealed.

3           Sec. 19.   Original section 86-134, Reissue Revised Statutes of  
4 Nebraska, section 75-109.01, Revised Statutes Cumulative Supplement,  
5 2020, and sections 86-1301, 86-1304, 86-1306, 86-1307, and 86-1308,  
6 Revised Statutes Supplement, 2021, are repealed.

7           Sec. 20.   Since an emergency exists, this act takes effect when  
8 passed and approved according to law.

9           2. On page 1, strike beginning with "section" in line 1 through line  
10 9 and insert "sections 86-134 and 86-164, Reissue Revised Statutes of  
11 Nebraska, section 75-109.01, Revised Statutes Cumulative Supplement,  
12 2020, and sections 86-1301, 86-1304, 86-1306, 86-1307, and 86-1308,  
13 Revised Statutes Supplement, 2021; to provide for an official Nebraska  
14 location fabric broadband access map; to change discontinuance of service  
15 provisions under the Nebraska Telecommunications Regulation Act; to  
16 provide for an expedited wire crossing permit; to define terms; to change  
17 provisions of the Nebraska Broadband Bridge Act; to adopt the Precision  
18 Agriculture Infrastructure Grant Act; to harmonize provisions; to provide  
19 operative dates; to repeal the original sections; and to declare an  
20 emergency."