

ONE HUNDRED FIRST LEGISLATURE - SECOND SESSION - 2010
COMMITTEE STATEMENT
LB643

Hearing Date: Friday February 20, 2009
Committee On: Natural Resources
Introducer: Schilz
One Liner: Change and provide notice requirements of road construction near electric lines

Roll Call Vote - Final Committee Action:
Advanced to General File with amendment(s)

Vote Results:

Aye: 8 Senators Carlson, Cook, Dubas, Fischer, Haar, Langemeier, McCoy, Schilz
Nay:
Absent:
Present Not Voting:

Proponents:

Senator Ken Schilz
Kristen Gottschalk

Representing:

Introducer
Nebraska Rural Electric Association

Opponents:

Neutral:

Larry Dix
John Miyoshi

Curt Smith

Representing:

Nebraska Association of County Officials
Nebraska Association of Resources Districts, Lower Platte North Natural Resources District
Nebraska Associated General Contractors

Summary of purpose and/or changes:

LB 643 would require additional notification requirements on counties or natural resources districts for road ditch improvement projects that require relocating electric transmission or distribution lines, poles, or anchors or compromises their structural integrity.

Section 1 amends Sec. 70-311, relating to notice of road widening for electric transmission or electric distribution lines, by adding reference to a road ditch improvement project that will require work within ten feet of an electric transmission or distribution line, poles or anchors for which notice must be provided. The notice is to be given at least 180 days prior to commencement of the work if lines, poles, or anchors must be moved, or if the work will compromise their structural integrity. If the equipment to be moved requires Federal Aviation Administration approval, a one-year notice is required. Also contains new language requiring a natural resources district to provide notice if altering a road structure or grading or moving earth for flood control, recreation or other project, or if it can be reasonably expected that any work will be performed within ten feet of any electric transmission or distribution line, pole, or anchor. The notice is to be given at least 180 days prior to commencement of the work if lines, poles, or anchors must be moved, or if the work will compromise their structural integrity. If the equipment to be moved requires Federal Aviation Administration approval, a one-year notice is required.

Section 2 repeals the original section.

Explanation of amendments:

The committee amendment, AM1620, would change the 180 day requirement to 90 days, and removes the language requiring a one-year notice if the equipment to be moved requires Federal Aviation Administration approval.

Chris Langemeier, Chairperson