



One Hundred First Legislature - First Session - 2009  
**Introducer's Statement of Intent**  
**LB 643**

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**Chairperson:** Chris Langemeier  
**Committee:** Natural Resources  
**Date of Hearing:** February 20, 2009

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

LB 643 would increase the minimum number of days required to give notice to an owner of a utility infrastructure prior to road construction near electric lines from 30 days to 180 days. This would further extend the notice requirement to one year if the infrastructure in question would be impacted by Federal Aviation Administration regulations impacting relocation within a protected area, and would expand the area of impact to within ten feet of an electric infrastructure.

Current Nebraska statute (70-311) requires 30 days notice to the owner of a utility infrastructure prior to any road construction, widening, repair, or grading projects within six feet of any electric transmission or electric distribution line, pole, or anchor. The 30 day notice requirement in current statute is inadequate and does not allow sufficient time for proper planning and implementation, especially on projects that would require the relocation of a power line. In addition, the six feet rule in current statute is not enough to ensure that the structural integrity of lines, poles, and anchors are not compromised.

There is no language in statute authorizing natural resource districts to provide notice when working on altering a road structure, grading, or moving earth for flood control or recreation, which would require the relocation of a utility infrastructure. LB 643 would provide that authorization with the same timelines for counties.

**Principal Introducer:** \_\_\_\_\_  
**Senator Ken Schilz**