

ONE HUNDRED THIRD LEGISLATURE

FIRST SESSION

LEGISLATIVE RESOLUTION 267

Introduced by Smith, 14.

PURPOSE: The purpose of this resolution is to review the One-Call Notification System Act. The Legislature has not conducted a comprehensive review of the act since its adoption in 1994. Since that time there have been significant changes in technology, excavation techniques, agriculture practices, and the nature of underground infrastructure. The Legislature should undertake a thorough review of the act, including how it relates to current practices. This study shall include, but not be limited to, an examination of the following issues:

(1) Developments at the federal level, including recent studies by the United States Department of Transportation's Pipeline and Hazardous Materials Safety Administration;

(2) A comparison of one-call notification systems across the country to determine best practices regarding exemptions, penalties, liability, and enforcement;

(3) The relevance of the agriculture exemption, particularly when applied to nonowner third parties conducting excavation on agricultural land;

(4) The recent and ongoing technological updates by Diggers Hotline of Nebraska, how these updates assist excavators across the state, and the identification and implementation of best practices for public outreach for full utilization of those updates; and

(5) The effectiveness of current enforcement statutes.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED THIRD LEGISLATURE OF NEBRASKA, FIRST SESSION:

1. That the Transportation and Telecommunications Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.

2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.