

ONE HUNDREDTH LEGISLATURE

SECOND SESSION

LEGISLATIVE RESOLUTION 313

Introduced by Fischer, 43.

PURPOSE: The purpose of this interim study is to examine and determine the need in Nebraska for a uniform voluntary procedure of dispute resolution between railroads and entities desiring to enter into contractual agreements to construct facilities across railroad tracks for the provision of electric, telecommunications, advanced telecommunications, and cable services.

The study shall include an examination of existing statutory authority for resolving such disputes and consider whether further authority is needed to supplement the existing authority of the Public Service Commission to enable the commission to establish a voluntary uniform procedure to provide for the timely, fair, and efficient resolution of disputes relating to the terms and conditions of crossing agreements between crossing entities and railroads.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDREDTH LEGISLATURE OF NEBRASKA, SECOND 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.