

ONE HUNDRED FOURTH LEGISLATURE - SECOND SESSION - 2016
COMMITTEE STATEMENT
LB973

Hearing Date: Monday February 08, 2016
Committee On: Transportation and Telecommunications
Introducer: Smith
One Liner: Change penalty, permit, and notice provisions relating to electric utility lines, poles, and structures

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

Vote Results:
Aye: 7 Senators Brasch, Garrett, Friesen, Davis, Murante, Seiler, Smith
Nay:
Absent: 1 Senator McCoy
Present Not Voting:

Verbal Testimony:

Proponents:

Jim Smith
Kristen Gottschalk

John Hoke

Representing:

Introducer
Nebraska Rural Electric Association and Nebraska
Power Association
Nebraska Rural Electric Association

Opponents:

Representing:

Neutral:

Representing:

Summary of purpose and/or changes:

The bill amends provisions of law related to the movement of overhead electric utility lines which pass over any public highway.

Current law requires that any person moving a building or any object over 15 feet, 6 inches in height shall provide notice to the appropriate electric utility and shall obtain a permit authorizing the movement of the over-sized load from the Department of Roads.

The bill amends section 60-6,288.01 to require that when a person issued an oversize moving permit is engaged in the movement of the over-sized building or object they shall carry proof that the appropriate electric utility has been notified.

Penalties for violations are increased.

The current penalty for the unauthorized working upon or manipulation of overhead electric lines is a Class V misdemeanor (section 48-437(2)). The bill increases the penalty to a Class II misdemeanor.

The current penalty for a violation of the requirement to obtain a permit for the movement of an over-sized load and the duty to contact affected electric utilities is a Class III misdemeanor.

The bill increases the penalty to a Class II misdemeanor.

Explanation of amendments:

The Committee considered and adopted an amendment which accomplishes the following:

As introduced the bill changes the penalty for a violation section 48-437 from a Class V to a Class II misdemeanor. The amendment narrows the penalty increase (to a Class II misdemeanor) to apply only subsection (2) of section 48-437.

Jim Smith, Chairperson