

ONE HUNDRED FIFTH LEGISLATURE - FIRST SESSION - 2017
COMMITTEE STATEMENT
LB271

Hearing Date: Monday January 23, 2017
Committee On: Transportation and Telecommunications
Introducer: Hilgers
One Liner: Authorize the Department of Roads to assume certain responsibilities under federal environmental laws and provide for limited waiver of the state's sovereign immunity

Roll Call Vote - Final Committee Action:
Advanced to General File

Vote Results:

Aye: 8 Senators Bostelman, Briese, Friesen, Geist, Hilgers, Hughes, Murante, Smith
Nay:
Absent:
Present Not Voting:

Verbal Testimony:

Proponents:

Senator Mike Hilgers
Kyle Schneweis
Greg Youell

Josh Moenning
Dick Ludwig
Lisa Richardson
Bruce Bohrer

Representing:

District 21
Nebraska Department of Roads
Omaha-Council Bluffs Metropolitan Area Planning Agency
4 lanes 4 nebraska
Associated General Contractors - Nebraska Chapter
American Council of Engineering Companies
Lincoln Chamber of Commerce

Opponents:

Representing:

Neutral:

Representing:

Summary of purpose and/or changes:

LB 271 proposes the enactment of a new section of law governing the organization and authority for the oversight of the state highway system assigned to the Nebraska Department of Roads and the Director- State Engineer of the Department.

Section 5 of the bill would provide that the Department of Roads may, consistent of federal law through a memorandum of understanding, assume all or part of the responsibility of the United States Department of Transportation (Federal Highway Administration) for determining if federal- aid projects are excluded from federal environmental requirements and for any environmental review, consultation, or action required under federal law.

Consistent with the provisions of federal law, the delegation of authority requires that the state waive sovereign immunity from any lawsuit in federal court for decisions made by the state in reviewing and approving federal environmental documents under the National Environmental Policy Act.

Curt Friesen, Chairperson