

LEGISLATURE OF NEBRASKA
ONE HUNDRED FIFTH LEGISLATURE
FIRST SESSION

LEGISLATIVE BILL 459

Introduced by Smith, 14.

Read first time January 17, 2017

Committee: Transportation and Telecommunications

1 A BILL FOR AN ACT relating to the One-Call Notification System Act; to
2 amend section 76-2319, Reissue Revised Statutes of Nebraska; to
3 change provisions relating to the rules and regulations and board of
4 directors governing the statewide one-call notification center; to
5 provide for the establishment of best practices; and to repeal the
6 original section.

7 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 76-2319, Reissue Revised Statutes of Nebraska, is
2 amended to read:

3 76-2319 (1) The center shall be governed by a board of directors
4 who shall oversee operation of the center ~~establish the operating~~
5 ~~procedures and the technology needed for the center~~ pursuant to rules and
6 regulations adopted and promulgated by the State Fire Marshal. ~~The rules~~
7 ~~and regulations adopted and promulgated by the State Fire Marshal shall~~
8 ~~provide for the qualifications, appointment, retention, and composition~~
9 ~~of the board of directors.~~ The board of directors shall also establish a
10 competitive bidding procedure to select a vendor to provide the
11 notification service, establish a procedure by which members of the
12 center share the costs of the center on a fair, reasonable, and
13 nondiscriminatory basis, and do all other things necessary to implement
14 the purpose of the center. Any agreement between the center and a vendor
15 for the notification service may be modified from time to time by the
16 board of directors, and any agreement shall be reviewed by the board of
17 directors at least once every three years, with an opportunity to receive
18 new bids if desired by the board of directors.

19 (2) The rules and regulations adopted and promulgated by the State
20 Fire Marshal shall provide for:

21 (a) The operating procedures and the technology needed for the
22 center;

23 (b) The qualifications, appointment, retention, and composition of
24 the board of directors; and

25 (c) Best practices for the marking, location, and notification of
26 proposed excavations which shall govern the center, excavators, and
27 operators of underground facilities.

28 (3) Any rule or regulation adopted and promulgated by the State Fire
29 Marshal pursuant to subdivision (2)(c) of this section shall originate
30 with the board of directors.

31 Sec. 2. Original section 76-2319, Reissue Revised Statutes of

1 Nebraska, is repealed.