

ONE HUNDRED FIFTH LEGISLATURE

SECOND SESSION

LEGISLATIVE RESOLUTION 410

Introduced by Urban Affairs Committee: Wayne, 13, Chairperson; Crawford, 45; Hansen, 26; Howard, 9; Larson, 40; Quick, 35; Riepe, 12.

PURPOSE: The purpose of this interim study is to examine issues related to the municipal regulation of railroads. The issues addressed by this interim study shall include, but not be limited to:

(1) A review of language in Chapters 14 through 19 of the Nebraska Revised Statutes that potentially authorizes municipalities to regulate railroads; and

(2) An examination of relevant case law regarding the preemption of state and local regulation of railroads under the Interstate Commerce Commission Termination Act of 1995 and other federal law.

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

1. That the Urban Affairs 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.