



STATE *of* NEBRASKA
OFFICE OF THE GOVERNOR
LINCOLN

EXECUTIVE ORDER No. 19-05

EMERGENCY RELIEF DUE TO WEATHER EVENTS – LOCATE REQUESTS

WHEREAS, underground facility operators are engaged in the business of locating and marking the locations of their facilities in conjunction with response and recovery efforts in the State of Nebraska due to a State of Emergency declared March 12, 2019 as a result of severe weather events during this winter; and

WHEREAS, the effective locating of facilities impacted by the emergency conditions requires prioritizing locate responses due to these conditions to help ensure public safety; and

WHEREAS, the personnel needed to respond to the submitted locate requests may already be engaged in response efforts consistent with emergency management strategies to provide aid, comfort, and security necessary for the restoration of order and safety to local governmental jurisdictions in the State of Nebraska; and

WHEREAS, the Nebraska State Statute §76-2323 requirement that facilities respond to notifications of excavation no later than two business days after receipt of the information in the notice could hinder other disaster recovery efforts. A temporary extension to a seven day response time will allow for more efficient and focused disaster recovery effort; and

WHEREAS, this two business day condition would hinder necessary action in coping with the disaster and the declaration of a State of Emergency will facilitate the granting of a waiver of this requirement pursuant to Nebraska State Statute § 81-829.40 (6)(a); and

WHEREAS, facility owners that are not directly supporting emergency response and recovery operation in the State of Nebraska may not take advantage of the relief from statute that such a declaration provides under Nebraska State Statute § 81-829.40 (6)(a).

NOW, THEREFORE, I Pete Ricketts, Governor of the State of Nebraska, by virtue of the authority vested in me by the Constitution and laws of Nebraska, find these conditions constitute a state of emergency and for the purpose pursuant to Nebraska State Statute § 81-829.40 (6)(a) that the two business day response requirement in Nebraska State Statute §76-2323 is waived as of March 19, 2019, and a seven day response is allowed through April 15, 2019.

IN WITNESS THEREOF, I have hereunto set my hand and caused the Great Seal of the State of Nebraska to be affixed on this 21st day of March 2019.



Pete Ricketts, Governor
State of Nebraska



Robert B. Evnen, Secretary of State
State of Nebraska

Attest:

