

HB 1164 -- UNDERGROUND DAMAGE PREVENTION REVIEW BOARD

SPONSOR: Griesheimer

This bill establishes the "Underground Damage Prevention Review Board" to review reports of alleged violations of the Underground Facility Safety and Damage Prevention Act. The board consists of nine members who are appointed as specified in the bill. No member may serve on a case in which the member has a conflict of interest.

The board must meet within 30 days after the appointment of all the members and must hold at least two regular meetings per year. The board will receive reports of alleged violations and must contact persons whom reports have been filed against within 10 days of filing a report. The board must maintain certain information regarding the alleged violations. If after review of the alleged violation, the board determines that a person has violated the Underground Facility Safety and Damage Prevention Act, the board must determine the appropriate action or penalty as specified in the bill. A person determined to be in violation may request a hearing before the board. If the board recommends a penalty, the board will notify the Public Service Commission and the Commission will issue an order imposing the penalty. If the board recommends a penalty, the fee assessed will be collected by the board or may be payable to the complainant. All fees received by the board shall be deposited into the newly created "Underground Damage Prevention Review Board Fund" and will be used to develop and disseminate educational programming to improve worker and public safety.

The board must maintain record of reports of alleged violations for at least four years. The Attorney General's Office must assign legal representation for the board, if requested.