

March 11, 2025

**Senate Industry & Business Committee
HB 1153**

Mr. Chairman and members of the Senate Industry & Business Committee, my name is Nate Sandberg. I am a Vice President and the Safety Manager for Northern Improvement Company. Our scope of business is heavy highway construction. We perform work ranging from interstate reconstruction, municipal street work, airport pavement construction, large dirt projects (landfills, power plants, etc.), concrete, asphalt, etc. Northern Improvement is a 5th generation family-owned construction company and was incorporated in 1935 with an average of 350 employees annually. I, myself am a 3rd generation employee at Northern Improvement. My family has over 115 years of service with Northern. I have been in construction in some way shape or form throughout my whole life. I am truly honored to work for Northern Improvement and be a part of the construction industry. In my opinion, I have the best and most rewarding job in construction and get to help people every day so that they can go home at the end of the day and enjoy their lives.

I and other stakeholders are here today in support of HB 1153 which proposes to clarify the language in Century Code 49-23 on exemptions to the one call requirement for excavators. The language presented is the result of work done by a coalition comprised of members representing the nine stakeholder categories of the one call system as outlined in the same section of Century Code - Excavators, Cities, Electrical Transmission/Distribution, Telephone, Cable Television, Rural Water, Gas Distribution, Oil or Gas Transmission/Gathering Lines.

Current law states excavators do not need to place a locate request when performing, “**Normal** maintenance of roads and streets if the maintenance does not change the **original** grade...” What is “normal” and what is “original?” Amongst the coalition there were many answers to and opinions on those questions. Proposed verbiage would state, “Normal maintenance of **paved** roads and streets if the maintenance does not **extend deeper than the depth of the existing pavement** and does not involve the road ditch.”

Also proposing additional verbiage, “**Normal surface maintenance of gravel roads and streets if the maintenance does not involve the road ditch.**”

After much discussion, the clarifying language presented in HB 1153 was unanimously approved by members of the coalition, as well as the Public Service Commission, which is the enforcement agency of the one call system, and the North Dakota Association of Counties.

This language will help prevent costly damages to underground utilities and, most importantly, injuries to our valued employees. We encourage you to vote **Do Pass**. If the committee has questions, I will try to address them.