

## ONE HUNDREDTH LEGISLATURE

## SECOND SESSION

## LEGISLATIVE RESOLUTION 342

Introduced by Johnson, 37; Louden, 49.

PURPOSE: The purpose of this study is to examine whether the Private Onsite Wastewater Treatment System Contractors Certification and System Registration Act and the adoption and enforcement of construction standards for onsite wastewater treatment systems in the State of Nebraska generally authorized under the Environmental Protection Act should be transferred for administration to the Department of Health and Human Services from the Department of Environmental Quality.

The onsite wastewater treatment programs for development of construction standards and the enforcement of those standards, including the provisions for registration of wastewater treatment systems and the certification of professionals serving onsite wastewater system businesses, has been administered under the general authority of the Department of Environmental Quality. The Natural Resources Committee of the Legislature has jurisdiction over the department. The department, because of the inadequacy of staffing, has historically relied extensively upon the field services staff of the Department of Health and Human Services for state enforcement inspections and upon limited volunteer inspection and enforcement by city and county inspectors working as building code administrators or health department administrators.

The Department of Health and Human Services currently provides administration and local inspection for the Water Well Standards and Contractors' Practice Act which makes contact with many of the same contractors involved with onsite wastewater treatment systems. The Health and Human Services Committee of the Legislature has jurisdiction over the department and local and regional public health departments.

The Department of Health and Human Services currently has contact with and provides administrative guidance to local health departments and to the newly established regional health organizations which provide a direct link to new local health management professionals who could enhance local onsite wastewater treatment system construction and operation and maintenance.

State field services and local health services may provide critical personal connections among wastewater treatment system contractors and system owners necessary to enhance the protection of ground water resources across the state not now possible because of a limitation of Department of Environmental Quality staffing.

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

1. That the Natural Resources and Health and Human Services Committees of the Legislature shall be designated to conduct a joint interim study to carry out the purposes of this resolution.

2. That the committees shall upon the conclusion of their study make a report of their findings, together with their recommendations, to the Legislative Council or Legislature.