

LEGISLATURE OF NEBRASKA
ONE HUNDRED SEVENTH LEGISLATURE
FIRST SESSION

LEGISLATIVE BILL 399

Introduced by Bostelman, 23.

Read first time January 14, 2021

Committee: Natural Resources

- 1 A BILL FOR AN ACT relating to regulation of water; to amend section
- 2 46-1011, Reissue Revised Statutes of Nebraska; to clarify a
- 3 statutory reference relating to rural water districts; and to repeal
- 4 the original section.
- 5 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 46-1011, Reissue Revised Statutes of Nebraska, is
2 amended to read:

3 46-1011 Plans and specifications for any proposed improvement
4 authorized by sections 46-1001 to 46-1020 shall be filed with the
5 director, the Department of Health and Human Services, and the secretary
6 of the district. No construction of any such improvement shall begin
7 until the plans and specifications for such improvement have been
8 approved by the director and the Department of Health and Human Services,
9 except that if the improvement involves a public water system as defined
10 in section 71-5301, only the Department of Health and Human Services
11 shall be required to review the plans and specifications for such
12 improvement and approve the same if in compliance with the Nebraska Safe
13 Drinking Water Act Chapter 71, article 53, and departmental rules and
14 regulations adopted and promulgated under such act thereunder.

15 The total benefits of any such improvement shall be divided into a
16 suitable number of benefit units. Each landowner within the district
17 shall subscribe to a number of such units in proportion to the extent he
18 or she desires to participate in the benefits of the improvements. As
19 long as the capacity of the district's facilities permits, participating
20 members of the district may subscribe to additional units upon payment of
21 a unit fee for each such unit. Owners of land located within the district
22 who are not participating members may subscribe to such units as the
23 board in its discretion may grant, and upon payment of the unit fee for
24 each such unit shall be entitled to the same rights as original
25 participating members. If the capacity of the district's facilities
26 permits, the district may sell water to persons engaged in hauling water
27 and to any political subdivision organized under the laws of the State of
28 Nebraska.

29 Sec. 2. Original section 46-1011, Reissue Revised Statutes of
30 Nebraska, is repealed.