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Transcriber's Office
FLOOR DEBATE

January 26, 2004 LB 32

says we don't need to pass this, I would remind you that if we have a citizen complaint, and if suit is filed against us, we are facing potential fines of \$27,500 a day from the EPA, and \$10,000 daily fine from the Department of Environmental Quality. In its present form, LB 32 only affects three municipalities: the city of Omaha, the city of Lincoln, and the city of South Sioux. But the unfunded mandates that the federal government is requiring us to cooperate with to address is the public education and outreach on storm water impacts, the public involvement and participation, illicit discharge detection and elimination of those discharges, construction site storm water runoff control, postconstruction storm water management in new development and redevelopment, and pollution prevention, good housekeeping for municipal operations. There is considerable need for this bill at the current time in these metropolitan areas, and we think this bill does address that. There's been considerable change, because as you know, this bill has drawn considerable opposition. And the opposition is from the people that probably are doing the most polluting. It's from the car dealers and all their asphalt and pavement. It's from the motel operators. It's from the service stations. It's from the motel and hotel people. People that pour the concrete, have the impervious surfaces, are the ones that are causing the most problems, as far as our clean water is concerned. I think we're headed in the right direction with LB 32. We do have an amendment that was passed out this morning, and that amendment, if you haven't had chance to look at it, I would hope you would take a look at it. Actually, the amendment strikes all provisions of the original bill, and instead of a fee, it's based on...instead of a fee based on impervious surfaces, the amendment does two things: It allows a city or village to establish storm water management programs, including the natural drainage components of such systems; and to charge a fee to be used exclusively to pay for the storm water management program. I would ask you to advance the amendment, and then we can talk about the amendment to the...the new amendment. And that's going to be where the...probably the battle is going to come down. The reasonable fee at this present time in the amendment is for residential customers it shall not exceed \$50 per year per customer account or dwelling unit, and for all other uses the rate shall not exceed \$250 per year for the lowest category