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Transcriber's Office
FLOOR DEBATE

January 26, 2004 LB 32

and \$1,000 per year for the highest-use category per customer account meter. This applies only to cities of the metropolitan, primary, or first class, which are required by federal law to develop, establish, and implement storm water management programs and to secure a storm water discharge permit under the National Pollution Discharge Elimination System under the federal Clean Water Act. This is not a new program for the federal government. There are at least 50 cities that have complied. In some cases they've been sued, and they've found that the penalties are severe. This amendment that we have passed out, that we have submitted this morning, also allows a natural resource district whose area includes a city of the metropolitan, primary, or first class subject to the federal rules, to implement a storm water management program and to adopt a special levy of 1.8 cents on each \$100 of valuation and also issue bonds payable exclusively from such levy. It clarifies that the affected cities and natural resource districts have the authority to cooperate with each other and with counties and other public agencies to develop and implement a storm water management program and projects. There are no exception to the fees that are to be imposed. Lincoln plans to use the size of the water pipe coming into the building to determine what classification will be used to determine the fee to be charged. For example, a small convenience store would probably be classified in the lowest classification, and a large shopping mall would probably be classified in the highest classification. We are taking a different direction here, even though I think the first one that we attempted was appropriate, in that we are going to change from measuring impervious surfaces to determine how much fee should be cost, to a set fee depending on whether you're a residential or you're a commercial account. We are going to allow the NRDs to impose a levy not to exceed 1.8 cents; that is also a new direction, for storm water purposes. I would want you to keep in mind that nothing we do here raises taxes on our cities or NRDs. They have to self-impose them themselves. This is just permissive legislation. We are not mandating that they implement any of this. It is only permissive. I would anticipate that they would implement at least part of this if we pass LB 32. I don't know if they would use all of it or not. But they will have to take the political heat for what they do. But keep in mind, as