

LEGISLATIVE BILL 342

Approved by the Governor March 28, 2005

Introduced by Baker, 44

AN ACT relating to natural resources; to amend section 2-1569, Reissue Revised Statutes of Nebraska, and section 2-1568, Revised Statutes Supplement, 2004; to eliminate a technical advisory committee; to harmonize provisions; to repeal the original sections; and to outright repeal section 2-1570, Revised Statutes Supplement, 2004.
Be it enacted by the people of the State of Nebraska,

Section 1. Section 2-1568, Revised Statutes Supplement, 2004, is amended to read:

2-1568. The department shall maintain and administer a data bank in the field of soil and water resources in the State of Nebraska. The collection of basic data and necessary interpretations of these data in the area of soil and water resources by agencies, departments, and political subdivisions of the State of Nebraska shall not be affected by ~~sections 2-1568 to 2-1570~~ this section. Such data and necessary interpretations of them shall be made available to the department for inclusion in the data bank when published or earlier if deemed by the originator to be suitable for inclusion. The source of data shall be identified in the data bank and when appropriate shall be associated with subsequent publication or other use. Processing and interpretation of the basic data shall be carried out by the department, except that ~~sections 2-1568 to 2-1570~~ shall this section does not preclude the independent processing and interpretation of such data by the collecting agency or other agencies. The resources of the data bank shall be made available to all interested agencies and persons.

Sec. 2. Section 2-1569, Reissue Revised Statutes of Nebraska, is amended to read:

2-1569. ~~As used in sections 2-1568 to 2-1570~~ For purposes of section 2-1568, basic data ~~shall mean~~ means recorded observations, calculations, or other information concerning: (1) Climatological, meteorological, hydrologic, hydraulic, topographic, and geologic conditions and phenomena, including soils and land use, as these relate to or affect surface and ground water resources, developed water supplies, water demands, and hydraulic structures; (2) occurrence, quantity, and quality of surface water resources, including variations with time, both short term and long range; (3) occurrence, quantity, and quality of ground water resources, including variations with time, natural and artificial recharge, natural and artificial disposal, and information as to the hydraulic characteristics of underground aquifers and reservoirs; (4) sediment production, transport, and disposition; (5) biologic data for streams, lakes, and reservoirs; (6) water rights; (7) occurrence, types, locations, and amounts of consumptive and nonconsumptive uses and demands for water, including diversions and extractions therefor, and variations over time; (8) occurrence, quantity, and quality of waste discharges and return flows, and variations thereof over time; (9) locations, characteristics, and operational criteria of works constructed to store, replenish, regulate, divert, extract, transport, distribute, protect, and improve surface and ground water resources; (10) project and facility operation data; (11) demographic data; and (12) economic and fiscal information.

Sec. 3. Original section 2-1569, Reissue Revised Statutes of Nebraska, and section 2-1568, Revised Statutes Supplement, 2004, are repealed.

Sec. 4. The following section is outright repealed: Section 2-1570, Revised Statutes Supplement, 2004.