



Hundredth Legislature - Second Session - 2008
Committee Statement
LB 387

Hearing Date: February 27, 2007
Committee On: Urban Affairs

Introducer(s): (Langemeier)

Title: Require separate plumbing and water metering for new construction as prescribed

Roll Call Vote – Final Committee Action:

Advanced to General File

Advanced to General File with Amendments

X Indefinitely Postponed

Vote Results:

4	Yes	Senator Friend, Cornett, Rogert, White
0	No	
0	Present, not voting	
3	Absent	Senator Janssen, Lathrop, McGill

Proponents:

Senator Chris Langemeier

Representing:

Introducer

Opponents:

Daniel G. Crouchley
Korby M. Gilbertson
Steve Masters
Jack Vavra
Don Blankenau
Lynn Rex

Representing:

Metro Utilities District of Omaha
NE State Homebuilders Assn., NE Realtors Assn.
City of Lincoln
City of York
League of Municipalities
League of NE Municipalities

Neutral:

None

Representing:

Summary of purpose and/or changes: This legislation proposes to amend the Building Construction Act to require dual plumbing and metering to measure the indoor and outdoor usage of potable water.

It would be applicable to all property subject to the State Building Code (i.e. to all buildings and structures owned by the state or any state agency and buildings located in each political subdivision which elects to adopt the state building code (section 71-6404).

The amendment proposed by the bill to the Building Construction Act (which contains the state building code) would add new plumbing requirements for new construction.

Beginning January 1, 2008, all new residential construction equipped with plumbing would be required to be constructed in such a fashion that it would have separate plumbing and metering to measure the use of potable water inside the house separately from the use of water outside the house.

Beginning on January 1, 2015, all new construction equipped with plumbing (commercial and residential) would have to have plumbing and water meters installed in such a fashion as to separate the potable water used inside the structure from water used outside the structure.

The property owner would be responsible for the costs of implementing this new legislation, but the water meters would be supplied and maintained by the water service provider.

The committee determined that amending the Building Construction Act would not catch all the buildings being constructed and might also apply to more construction than is required or intended by this act.

As can be seen from a review of section 18-1906 which deals with all classes of cities and villages and section 71-6406, part of the Building Construction Act, the reach of the state building code is not universal. Cities have the authority to adopt and modify their own plumbing codes and cities, villages, and counties which do not adopt a building code or enforce standards would be missed by the amendments.

There is the additional problem that the statute deals implicitly only with water systems where the use of water is metered although that is not expressly stated. It is not intended to force these kinds of modifications on structures which rely on private wells, for example, where the use of water is not metered.

Explanation of amendments, if any: N/A

Senator Mike Friend, Chairperson