

LEGISLATURE OF NEBRASKA
ONE HUNDREDTH LEGISLATURE
FIRST SESSION
LEGISLATIVE BILL 530

Introduced by Nantkes, 46

Read first time January 17, 2007

Committee: Natural Resources

A BILL

1 FOR AN ACT relating to water; to amend section 46-2,139, Revised
2 Statutes Cumulative Supplement, 2006; to change Storm
3 Water Management Plan Program provisions; and to repeal
4 the original section.

5 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 46-2,139, Revised Statutes Cumulative
2 Supplement, 2006, is amended to read:

3 46-2,139 The Storm Water Management Plan Program is
4 created. The purpose of the program is to facilitate and fund
5 the duties of cities and counties under the federal Clean
6 Water Act, 33 U.S.C. 1251 et seq., as such act existed on
7 January 1, 2006, regarding storm water runoff under the National
8 Pollutant Discharge Elimination System requirements. The Storm
9 Water Management Plan Program shall function as a grant program
10 administered by the Department of Environmental Quality, using
11 funds appropriated for the program. The department shall deduct
12 from funds appropriated amounts sufficient to reimburse itself for
13 its costs of administration of the grant program. Any city or
14 county when applying for a grant under the program shall have a
15 storm water management plan approved by the department which meets
16 the requirements of the National Pollutant Discharge Elimination
17 System. Grant applications shall be made to the department on forms
18 prescribed by the department. Grant funds shall be distributed by
19 the department as follows:

20 (1) Not less than eighty percent of the funds available
21 for grants under this section shall be provided to cities and
22 counties in urbanized areas, as identified in 64 Federal Register
23 68822, that apply for grants and meet the requirements of this
24 section. Grants made pursuant to this subdivision shall be
25 distributed proportionately based on the population of applicants

1 within such category, as determined by the most recent federal
2 census update or recount certified by the United States Department
3 of Commerce, Bureau of the Census. Any funds available for grants
4 under this subdivision and not awarded by the end of a calendar
5 year shall be available for grants in the following year; and

6 (2) Not more than twenty percent of the funds available
7 for grants under this section shall be provided to cities
8 and counties outside of urbanized areas, as identified in 64
9 Federal Register 68822, with populations greater than ten thousand
10 inhabitants as determined by the most recent federal census
11 update or recount certified by the United States Department of
12 Commerce, Bureau of the Census, that apply for grants and meet
13 the requirements of this section. Grants under this subdivision
14 shall be distributed proportionately based on the population of
15 applicants within this category as determined by the most recent
16 federal census update or recount certified by the United States
17 Department of Commerce, Bureau of the Census. For the purpose of
18 distributing grant funds to a county pursuant to this subdivision,
19 the proportion shall be based on the county population, less
20 the population of city applicants within that county. Any funds
21 available for grants pursuant to this subdivision which have not
22 been awarded at the end of each calendar year shall be available
23 for awarding grants pursuant to subdivision (1) of this section.

24 Any city or county receiving a grant under subdivision
25 (1) or (2) of this section shall contribute matching funds equal to

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1 twenty percent of the grant amount.

2 Sec. 2. Original section 46-2,139, Revised Statutes

3 Cumulative Supplement, 2006, is repealed.