

LEGISLATURE OF NEBRASKA
ONE HUNDRED FIRST LEGISLATURE
FIRST SESSION
LEGISLATIVE BILL 42

Introduced by Flood, 19.

Read first time January 8, 2009

Committee: Natural Resources

A BILL

1 FOR AN ACT relating to natural resources; to amend section 46-1011,
2 Revised Statutes Cumulative Supplement, 2008; to change
3 provisions relating to rural water districts; and to
4 repeal the original section.
5 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 46-1011, Revised Statutes Cumulative
2 Supplement, 2008, is amended to read:

3 46-1011 Plans and specifications for any proposed
4 improvement authorized by sections 46-1001 to 46-1020 shall be
5 filed with the director, the Department of Health and Human
6 Services, and the secretary of the district. No construction of any
7 such improvement shall begin until the plans and specifications
8 for such improvement have been approved by the director and
9 the Department of Health and Human Services, except that if the
10 improvement involves a public water system as defined in section
11 71-5301, only the Department of Health and Human Services shall
12 be required to review the plans and specifications for such
13 improvement and approve the same if in compliance with ~~Chapter 71,~~
14 ~~article 53,~~ the Nebraska Safe Drinking Water Act and departmental
15 rules and regulations adopted thereunder, and promulgated under the
16 act.

17 The total benefits of any such improvement shall be
18 divided into a suitable number of benefit units. Each landowner
19 within the district shall subscribe to a number of such units
20 in proportion to the extent he or she desires to participate
21 in the benefits of the improvements. As long as the capacity of
22 the district's facilities permits, participating members of the
23 district may subscribe to additional units upon payment of a unit
24 fee for each such unit. Owners of land located within the district
25 who are not participating members may subscribe to such units as

1 the board in its discretion may grant, and upon payment of the unit
2 fee for each such unit shall be entitled to the same rights as
3 original participating members. If the capacity of the district's
4 facilities permits, the district may sell water to persons engaged
5 in hauling water and to any political subdivision organized under
6 the laws of the State of Nebraska.

7 Sec. 2. Original section 46-1011, Revised Statutes
8 Cumulative Supplement, 2008, is repealed.