

LEGISLATURE OF NEBRASKA
ONE HUNDRED FOURTH LEGISLATURE
FIRST SESSION

LEGISLATIVE BILL 174

Introduced by Schilz, 47.

Read first time January 12, 2015

Committee: Natural Resources

- 1 A BILL FOR AN ACT relating to the Wastewater Treatment Facilities
- 2 Construction Assistance Act; to amend section 81-15,149, Reissue
- 3 Revised Statutes of Nebraska; to redefine a term; and to repeal the
- 4 original section.
- 5 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 81-15,149, Reissue Revised Statutes of Nebraska,
2 is amended to read:

3 81-15,149 For purposes of ~~As used in~~ the Wastewater Treatment
4 Facilities Construction Assistance Act, unless the context otherwise
5 requires:

6 (1) Clean Water Act means the federal Clean Water Act, as amended,
7 33 U.S.C. 1251 et seq.;

8 (2) Construction means any of the following: Preliminary planning to
9 determine the feasibility of wastewater treatment works or nonpoint
10 source control systems; engineering, architectural, legal, fiscal, or
11 economic investigations or studies; surveys, designs, plans, working
12 drawings, specifications, procedures, or other necessary preliminary
13 actions; erection, building, acquisition, alteration, remodeling,
14 improvement, or extension of wastewater treatment works or nonpoint
15 source control systems; or the inspection or supervision of any of the
16 foregoing items;

17 (3) Council means the Environmental Quality Council;

18 (4) County means any county authorized to construct a sewerage
19 disposal system and plant or plants pursuant to the County Industrial
20 Sewer Construction Act;

21 (5) Department means the Department of Environmental Quality;

22 (6) Director means the Director of Environmental Quality;

23 (7) Eligible financial institution means a bank that agrees to
24 participate in the linked deposit program and which is chartered to
25 conduct banking in this state pursuant to the Nebraska Banking Act, is
26 chartered to conduct banking by another state and authorized to do
27 business in this state, or is a national bank authorized to do business
28 in this state;

29 (8) Fund means the Wastewater Treatment Facilities Construction Loan
30 Fund;

31 (9) Linked deposit program means the Wastewater Treatment Facilities

1 Construction Assistance Act Linked Deposit Program established in
2 accordance with section 81-15,151.03;

3 (10) Municipality means any city, town, village, district,
4 association, or other public body created by or pursuant to state law and
5 having jurisdiction over disposal of sewage, industrial wastes, or other
6 wastes;

7 (11) Nonpoint source control systems means (a) projects which
8 establish the use of methods, measures, or practices to control the
9 pollution of surface waters and ground water that occurs as pollutants
10 are transported by water from diffuse or scattered sources. Such projects
11 include, but are not limited to, structural and nonstructural controls
12 and operation and maintenance procedures applied before, during, and
13 after pollution-producing activities. Sources of nonpoint source
14 pollution may include, but are not limited to, agricultural, forestry,
15 and urban lands, transportation corridors, stream channels, mining and
16 construction activities, animal feeding operations, septic tank systems,
17 underground storage tanks, landfills, and atmospheric deposition and (b)
18 projects which establish methods, measures, structures, or practices to
19 protect, remediate, or enhance any waters of the state or aquatic habitat
20 that are impacted by natural or anthropogenic nonpoint sources of
21 pollution. Types of projects include, but are not limited to, projects
22 which minimize or control runoff or leaching from activities in urban,
23 construction, or rural areas, erosion of sediment, atmospheric
24 deposition, or similar causes or hydromodification projects;

25 (12) Operate and maintain means all necessary activities including
26 the normal replacement of equipment or appurtenances to assure the
27 dependable and economical function of a wastewater treatment works or
28 nonpoint source control systems in accordance with its intended purpose;
29 and

30 (13) Wastewater treatment works means the structures, equipment, and
31 processes required to collect, transport, and treat domestic or

1 industrial wastes and to dispose of the effluent and sludges.

2 Sec. 2. Original section 81-15,149, Reissue Revised Statutes of

3 Nebraska, is repealed.