

LEGISLATURE OF NEBRASKA  
ONE HUNDRED SIXTH LEGISLATURE  
FIRST SESSION

**LEGISLATIVE BILL 632**

Introduced by Hughes, 44.

Read first time January 23, 2019

Committee:

- 1 A BILL FOR AN ACT relating to regulation of water; to amend section
- 2 46-1011, Reissue Revised Statutes of Nebraska; to clarify a
- 3 statutory reference relating to rural water districts; and to repeal
- 4 the original section.
- 5 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 46-1011, Reissue Revised Statutes of Nebraska, is  
2 amended to read:

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

15 The total benefits of any such improvement shall be divided into a  
16 suitable number of benefit units. Each landowner within the district  
17 shall subscribe to a number of such units in proportion to the extent he  
18 or she desires to participate in the benefits of the improvements. As  
19 long as the capacity of the district's facilities permits, participating  
20 members of the district may subscribe to additional units upon payment of  
21 a unit fee for each such unit. Owners of land located within the district  
22 who are not participating members may subscribe to such units as the  
23 board in its discretion may grant, and, upon payment of the unit fee for  
24 each such unit, shall be entitled to the same rights as original  
25 participating members. If the capacity of the district's facilities  
26 permits, the district may sell water to persons engaged in hauling water  
27 and to any political subdivision organized under the laws of the State of  
28 Nebraska.

29 Sec. 2. Original section 46-1011, Reissue Revised Statutes of  
30 Nebraska, is repealed.