

ONE HUNDRED SEVENTH LEGISLATURE - SECOND SESSION - 2022
COMMITTEE STATEMENT (CORRECTED)
LB809

Hearing Date: Wednesday January 19, 2022
Committee On: Natural Resources
Introducer: Moser
One Liner: Change provisions of the Drinking Water State Revolving Fund Act, the Environmental Protection Act, the Game Law, the Waste Reduction and Recycling Act, and the Wastewater Treatment Facilities Construction Assistance Act

Roll Call Vote - Final Committee Action:
Advanced to General File with amendment(s)

Vote Results:

Aye:	7	Senators Aguilar, Bostelman, Cavanaugh, J., Gragert, Hughes, Moser, Wayne
Nay:		
Absent:		
Present Not Voting:	1	Senator Jacobson

Oral Testimony:

Proponents:

Mike Moser
Jim Macy
Elizabeth Elliott
Lash Chaffin
Annette Sudbeck
Rick Kubat

Representing:

Introducer
Department of Environment & Energy
City of Lincoln
League of Nebraska Municipalities
Lewis and Clark NRD; NARD
Metropolitan Utilities District

Opponents:

Representing:

Neutral:

Representing:

Summary of purpose and/or changes:

LB809, brought by Senator Moser, amends Section 71-5318, 71-5322, and 81-15,153, the Drinking Water State Revolving Fund Act and the Wastewater Treatment Facilities Construction Assistance Act to better align the funds with existing federal regulation, and new provisions of the Infrastructure Investment and Jobs Act. The Acts provides low interest loans and small community matching grants to municipalities for construction of wastewater treatment facilities and sanitary sewer collection systems to alleviate public health and environmental problems in accordance with the federal Safe Drinking Water Act.

Currently, the Fund can be used to pay or to secure the payment of bonds. LB809 adds authority to buy or refinance the debt obligation of any municipality for a public water supply system if the debt was incurred for the system and construction on the system began after July 1, 1993 and raises the allowable amount of forgiveness from fifty to seventy-five percent.

Sec. 1 Amends 71-5318 to allow funds to be used to purchase or refinancing debt obligations.

Sec. 2 Amends section 71-5322(9) to increase grant and loan forgiveness from fifty to seventy-five percent of project costs for eligible projects related to public water systems that serve ten thousand persons or less. Extends funding for lead service line replacement projects in accordance with federal regulatory and statutory provisions.

Sec. 3 Amends 81-15,153 to add "loan forgiveness" and to allow for increased percentage.

Explanation of amendments:

AM 2004 incorporates the provisions of three other related bills into the bill: LB 924, LB 978, and LB 803 (as amended by AM 1912).

The Committee voted to adopt AM 2004 on a 7-0 vote.

LB924 amends Section 81-15,160 (2) of the Waste Reduction and Recycling Incentive Act to allow participation in grants for reimbursement costs of projects under the act by cities of the first class if the projects otherwise meet the criterion of the Act.

Motion to include LB 924 as part of AM 2004:

Vote Results: 7-0-0-0

Voting Aye: Senators Aguilar, Bostelman, J. Cavanaugh, Gragert, Hughes, Moser, Wayne

Testifiers on LB 924:

Proponents:

Tom Brewer, Introducer

Lash Chaffin, League of Nebraska Municipalities

LB978 amends Sections 81-1501 to 81-1532 to administer the federal dredge and fill permit program (404) for activities that affect waters of the United States (WOTUS) pursuant to direction given by the Legislature in LB302 in 2019.

Motion to include LB 978 as part of AM 2004:

Vote Results: 7-0-0-0

Voting Aye: Senators Aguilar, Bostelman, J. Cavanaugh, Gragert, Hughes, Moser, Wayne

Testifiers on LB 978:

Proponents:

Dan Hughes, Introducer

Jim Macy, Department of Environment and Energy

Joe Citta, NPPD; NPA

Brian Osborn, ACEC Nebraska; American Council of Engineering Companies Nebraska

Katie Wilson, Associates General Contractors, Nebraska Chapter

Chris Hawkins, Hawkins Construction Company

Timothy McCoy, Nebraska Game and Parks Commission

Opponents:

George Cunningham, Nebraska Wildlife Federation

LB803 amends section 37-455 to expand the definition of immediate family member of a landowner or leaseholder to include grandchildren and step grandchildren and their spouses for the purpose of being eligible for special hunting permits as the immediate family of a qualified landowner. The bill also increases the number of total permits and youth permits that

can be issued. As amended, the bill permits eight total permits to be issued, two to adults over 19 years, and up to six for youth.

Motion to include LB 803 (as amended by AM 1912) as part of AM 2004:

Vote Results: 6-1-0-0

Voting Aye: Senators Aguilar, Bostelman, J. Cavanaugh, Hughes, Moser, Wayne

Voting Nay: Senator Gragert

Testifiers on LB 803:

Proponents:

Dan Hughes, Introducer

Opponents:

Scott Smathers, Nebraska Sportsmen's Foundation; BGCA

Chad Podolak, Self

George Cunningham, Nebraska Wildlife Federation

Neutral:

Timothy McCoy, Nebraska Game and Parks Commission

Sec.1 LB803 (Hughes) amends section 37-455 to add grandchildren and step-grandchildren to definition of immediate family members for purposes of limited hunting permits.

Sec.2 through Sec. 3 LB809 (Moser) amends sections 71-5318 and 71-5322 the Drinking Water State Revolving Fund Act and the Wastewater Treatment Facilities Construction Assistance Act to better align the funds with existing federal regulation, and new provisions of the Infrastructure Investment and Jobs Act.

Sec.4 through Sec. 9 LB978 (Hughes) LB978, amends Nebraska's Environmental Protection Act found in Sections 81-1501 to 81-1532 to take the next step to the state to administer the federal dredge and fill permit program (404 permit program).

Sec.10 LB809 amends section 81-15, 153

Sec.11 LB924 (Brewer) amends 81-15,160 to add cities of the first class as eligible for grants to reimburse costs of reclamation of certain materials from abandoned buildings.

Sec.12 Repeals original sections 71-5322, 81-1508.01, and 81-1522 and sections 37-455, 71-5318, 81-1504, 81-1505, 81-1532, 81-15,153, and 81-15,160

Bruce Bostelman, Chairperson