

LEGISLATURE OF NEBRASKA

ONE HUNDREDTH LEGISLATURE

SECOND SESSION

LEGISLATIVE BILL 725

Introduced by Natural Resources Committee: Louden, 49, Chairperson;
Carlson, 38; Dubas, 34; Fischer, 43; Hudkins, 21;
Kopplin, 3; Wallman, 30.

Read first time January 09, 2008

Committee: Natural Resources

A BILL

1 FOR AN ACT relating to the Waste Reduction and Recycling
2 Incentive Act; to amend section 81-15,160, Revised
3 Statutes Supplement, 2007; to provide for grants for
4 deconstruction of abandoned buildings; and to repeal the
5 original section.
6 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 81-15,160, Revised Statutes
2 Supplement, 2007, is amended to read:

3 81-15,160 (1) The Waste Reduction and Recycling Incentive
4 Fund is created. The department shall deduct from the fund amounts
5 sufficient to reimburse itself for its costs of administration
6 of the fund. The fund shall be administered by the Department
7 of Environmental Quality. The fund shall consist of proceeds from
8 the fees imposed pursuant to the Waste Reduction and Recycling
9 Incentive Act.

10 (2) The fund may be used for purposes which include, but
11 are not limited to:

12 (a) Technical and financial assistance to political
13 subdivisions for creation of recycling systems and for modification
14 of present recycling systems;

15 (b) Recycling and waste reduction projects, including
16 public education, planning, and technical assistance;

17 (c) Market development for recyclable materials separated
18 by generators, including public education, planning, and technical
19 assistance;

20 (d) Capital assistance for establishing private and
21 public intermediate processing facilities for recyclable materials
22 and facilities using recyclable materials in new products;

23 (e) Programs which develop and implement composting of
24 yard waste and composting with sewage sludge;

25 (f) Technical assistance for waste reduction and waste

1 exchange for waste generators;

2 (g) Programs to assist communities and counties to
3 develop and implement household hazardous waste management
4 programs; ~~and~~

5 (h) Capital assistance for establishing private and
6 public facilities to manufacture combustible waste products and
7 to incinerate combustible waste to generate and recover energy
8 resources, except that no disbursements shall be made under this
9 section for scrap tire processing related to tire-derived fuel;
10 and-

11 (i) Grants for reimbursement of costs to cities of the
12 second class, villages, and counties of five thousand or fewer
13 population for the deconstruction of abandoned buildings. In order
14 to be eligible for grant funding, the recyclable content and
15 structure of such building shall be processed for recycling or
16 reuse.

17 The State Treasurer shall transfer two million one
18 hundred thousand dollars from the Waste Reduction and Recycling
19 Incentive Fund to the General Fund within five days after August
20 16, 2002.

21 (3) Grants up to one million dollars annually shall be
22 available until June 30, 2009, for new scrap tire projects only, if
23 acceptable scrap tire project applications are received. Eligible
24 categories of disbursement under section 81-15,161 may include, but
25 are not limited to:

1 (a) Reimbursement for the purchase of crumb rubber
2 generated and used in Nebraska, with disbursements not to exceed
3 fifty percent of the cost of the crumb rubber;

4 (b) Reimbursement for the purchase of tire-derived
5 product which utilizes a minimum of twenty-five percent recycled
6 tire content, with disbursements not to exceed twenty-five percent
7 of the product's retail cost, except that persons who applied for
8 a grant between June 1, 1999, and May 31, 2001, for the purchase
9 of tire-derived product which utilizes a minimum of twenty-five
10 percent recycled tire content may apply for reimbursement on or
11 before July 1, 2002. Reimbursement shall not exceed twenty-five
12 percent of the product's retail cost and may be funded in fiscal
13 years 2001-02 and 2002-03;

14 (c) Participation in the capital costs of building,
15 equipment, and other capital improvement needs or startup costs
16 for scrap tire processing or manufacturing of tire-derived product,
17 with disbursements not to exceed fifty percent of such costs or
18 five hundred thousand dollars, whichever is less;

19 (d) Participation in the capital costs of building,
20 equipment, or other startup costs needed to establish collection
21 sites or to collect and transport scrap tires, with disbursements
22 not to exceed fifty percent of such costs;

23 (e) Cost-sharing for the manufacturing of tire-derived
24 product, with disbursements not to exceed twenty dollars per ton
25 or two hundred fifty thousand dollars, whichever is less, to any

1 person annually;

2 (f) Cost-sharing for the processing of scrap tires, with
3 disbursements not to exceed twenty dollars per ton or two hundred
4 fifty thousand dollars, whichever is less, to any person annually;

5 (g) Cost-sharing for the use of scrap tires for civil
6 engineering applications for specified projects, with disbursements
7 not to exceed twenty dollars per ton or two hundred fifty thousand
8 dollars, whichever is less, to any person annually; and

9 (h) Disbursement to a political subdivision up to one
10 hundred percent of costs incurred in cleaning up scrap tire
11 collection and disposal sites.

12 The director shall give preference to projects which
13 utilize scrap tires generated and used in Nebraska.

14 (4) Priority for grants made under section 81-15,161
15 shall be given to grant proposals demonstrating a formal
16 public/private partnership except for grants awarded from fees
17 collected under subsection (6) of section 13-2042.

18 (5) Grants awarded from fees collected under subsection
19 (6) of section 13-2042 may be renewed for up to a five-year
20 grant period. Such applications shall include an updated integrated
21 solid waste management plan pursuant to section 13-2032. Annual
22 disbursements are subject to available funds and the grantee
23 meeting established grant conditions. Priority for such grants
24 shall be given to grant proposals showing regional participation
25 and programs which address the first integrated solid waste

1 management hierarchy as stated in section 13-2018 which shall
2 include toxicity reduction. Disbursements for any one year shall
3 not exceed fifty percent of the total fees collected after rebates
4 under subsection (6) of section 13-2042 during that year.

5 (6) Any person who stores waste tires in violation
6 of section 13-2033, which storage is the subject of abatement
7 or cleanup, shall be liable to the State of Nebraska for the
8 reimbursement of expenses of such abatement or cleanup paid by the
9 Department of Environmental Quality.

10 (7) The Department of Environmental Quality may receive
11 gifts, bequests, and any other contributions for deposit in the
12 Waste Reduction and Recycling Incentive Fund. Any money in the fund
13 available for investment shall be invested by the state investment
14 officer pursuant to the Nebraska Capital Expansion Act and the
15 Nebraska State Funds Investment Act.

16 Sec. 2. Original section 81-15,160, Revised Statutes
17 Supplement, 2007, is repealed.