

LEGISLATURE OF NEBRASKA

ONE HUNDREDTH LEGISLATURE

FIRST SESSION

**LEGISLATIVE BILL 79**

Introduced By: Natural Resources Committee; Louden, 49, Chairperson;  
Carlson, 38; Christensen, 44; Dubas, 34; Fischer, 43;  
Hudkins, 21; Kopplin, 3; Wallman, 30

Read first time: January 5, 2007

Committee: Natural Resources

A BILL

1 FOR AN ACT relating to environmental protection; to amend section  
2 81-1553, Reissue Revised Statutes of Nebraska, and section  
3 81-1504.01, Revised Statutes Cumulative Supplement, 2006; to  
4 modify reporting requirements under the Nebraska Litter  
5 Reduction and Recycling Act; to harmonize provisions; and to  
6 repeal the original sections.

7 Be it enacted by the people of the State of Nebraska,

1           Section 1. Section 81-1504.01, Revised Statutes Cumulative  
2 Supplement, 2006, is amended to read:

3           81-1504.01. The Department of Environmental Quality shall  
4 provide the following information to the Governor and to the Clerk  
5 of the Legislature by December 1 of each year:

6           (1) A report by type of service or aid provided by the use  
7 and distribution of federal funds received by the department. The  
8 report shall also include user fees, permit fees, license fees, and  
9 application fees authorized by the federal Environmental Protection  
10 Agency as follows:

11           (a) Actual expenditure of each grant or authorized fees for  
12 the most recently completed state fiscal year, including state  
13 matching funds;

14           (b) Current budget and planned use and distribution of each  
15 grant and authorized fees for the current state fiscal year, including  
16 state matching funds;

17           (c) A summary of the projected funding level of each grant  
18 and authorized fees and the impact of federal mandates and regulations  
19 upon the future use of each grant and authorized fees; and

20           (d) Program summaries including statistical summaries when  
21 applicable for the most recently completed state fiscal year and  
22 program activity goals for the current state fiscal year;

23           (2) A summary of regulations of the federal Environmental  
24 Protection Agency which the department is required to implement and  
25 which do not include federal funding assistance and the possible  
26 financial impact to the state and political subdivisions;

27           (3) A report by type of service or aid provided by the use

1 and distribution of state general and cash funds, including user fees,  
2 permit fees, license fees, and application fees, to carry out  
3 activities that are not funded by federal grants as follows:

4 (a) Actual expenditure of state funds, by agency sections,  
5 for the most recently completed state fiscal year, including a  
6 breakdown of expenditures by personal services, operations, travel,  
7 capital outlay, and consulting and contractual services;

8 (b) Current budget and planned use and distribution of state  
9 funds, by agency sections, for the current state fiscal year,  
10 including a breakdown of expenditures for personal services,  
11 operations, travel, capital outlay, and consulting and contractual  
12 services;

13 (c) A summary of projected program funding needs based upon  
14 the statutory requirements and public demand for services and the  
15 department's assessment of anticipated needs statewide; and

16 (d) Program summaries including statistical summaries when  
17 applicable for the most recently completed state fiscal year and  
18 program activity goals for the current state fiscal year;

19 (4) A report regarding staff turnover by job class and the  
20 department's assessment of its ability to hire and retain qualified  
21 staff considering the state's personnel pay plan;

22 (5) A report listing the method used by each new or existing  
23 licensee, permittee, or other person who is required by the department  
24 to establish proof of financial responsibility; and

25 (6) A report for the previous state fiscal year relating to  
26 the purpose of the Nebraska Litter Reduction and Recycling Act and of  
27 funds credited to the Nebraska Litter Reduction and Recycling

1 Fund, ~~under the Nebraska Litter Reduction and Recycling Act.~~

2 Sec. 2. Section 81-1553, Reissue Revised Statutes of  
3 Nebraska, is amended to read:

4 81-1553. ~~(1)~~ In order to identify the litter problem more  
5 fully and to measure the progress made by the department, within  
6 twelve months of October 1, 1979, the department shall conduct, or  
7 grant funds to enable public or private agencies to conduct, a survey  
8 measuring the amount and composition of litter on the public highways,  
9 recreation lands, and urban areas in the state. The department shall  
10 conduct, or grant funds to enable public or private agencies to  
11 conduct, followup surveys on a sufficiently regular basis to provide  
12 meaningful measurement of the amount and composition of litter and the  
13 rate of littering. The results of these surveys shall be reported to  
14 the Governor. The department shall not spend more than fifty thousand  
15 dollars from the fund to conduct the original survey required by this  
16 section.

17 ~~(2) The department shall submit, by February 15 of each~~  
18 ~~year, an annual progress report for the previous year relating to the~~  
19 ~~purpose of the Nebraska Litter Reduction and Recycling Act to the~~  
20 ~~Governor and the Appropriations Committee of the Legislature.~~

21 Sec. 3. Original section 81-1553, Reissue Revised Statutes  
22 of Nebraska, and section 81-1504.01, Revised Statutes Cumulative  
23 Supplement, 2006, are repealed.