

LEGISLATURE OF NEBRASKA

ONE HUNDRED FIRST LEGISLATURE

FIRST SESSION

LEGISLATIVE BILL 582

Introduced by Dierks, 40.

Read first time January 21, 2009

Committee: Natural Resources

A BILL

- 1 FOR AN ACT relating to agriculture; to create the Nebraska Invasive
- 2 Species Council; to state intent, define terms, and
- 3 provide powers and duties.
- 4 Be it enacted by the people of the State of Nebraska,

1 Section 1. The Legislature finds that:

2 (1) The land, water, and other resources of Nebraska are
3 being severely impacted by the invasion of an increasing number of
4 harmful invasive plants;

5 (2) These impacts are resulting in damage to Nebraska's
6 environment and causing economic hardships; and

7 (3) The multitude of public and private organizations
8 with an interest in controlling and preventing the spread of
9 harmful invasive vegetation in Nebraska need a mechanism for
10 cooperation, communication, collaboration, and developing a
11 statewide plan of action to meet these threats.

12 Sec. 2. For purposes of sections 1 to 6 of this act,
13 invasive species includes non-native plants that cause economic or
14 environmental harm and are capable of spreading to new habitats,
15 but does not include planted agronomic crops or nonharmful exotic
16 vegetation.

17 Sec. 3. (1) The Nebraska Invasive Species Council is
18 created.

19 (2) The membership of the council shall consist of:

20 (a) The regional director of the Midwest Region of the
21 National Park Service or a designated representative;

22 (b) The Executive Director of the Nebraska Association of
23 Resources Districts or a designated representative;

24 (c) The head of the Nature Conservancy, Nebraska Office,
25 or a designated representative;

- 1 (d) The Director of Agriculture or a designated
2 representative;
- 3 (e) The Secretary of the Game and Parks Commission or a
4 designated representative;
- 5 (f) The director of the Nebraska Forest Service or a
6 designated representative;
- 7 (g) A representative of the Nebraska Weed Control
8 Association;
- 9 (h) The Chancellor of the University of Nebraska-Lincoln
10 or a designated representative;
- 11 (i) The local representative of the Animal and Plant
12 Health Inspection Service of the United States Department of
13 Agriculture or a designated representative;
- 14 (j) A representative of the Natural Resources
15 Conservation Service of the United States Department of Agriculture
16 or a designated representative;
- 17 (k) A representative of the United States Geological
18 Survey or a designated representative;
- 19 (l) The unit leader of the Nebraska Cooperative Fish and
20 Wildlife Research Unit or a designated representative; and
- 21 (m) Two members-at-large appointed by the Governor.
- 22 (3) The council members shall seek input from those
23 entities deemed necessary to accomplish its duties.
- 24 Sec. 4. The Nebraska Invasive Species Council shall:
- 25 (1) Recommend action to minimize the effects of harmful

1 invasive vegetation on Nebraska's citizens in order to promote the
2 economic and environmental well-being of the state;

3 (2) Develop and periodically update a statewide adaptive
4 management plan for invasive vegetation as described in section 5
5 of this act;

6 (3) Serve as a forum for discussion, identification, and
7 understanding of invasive vegetation issues;

8 (4) Facilitate the communication, cooperation,
9 and coordination of local, state, federal, private, and
10 non-governmental entities for the prevention, control, and
11 management of non-native invasive vegetation;

12 (5) Assist with public outreach and awareness of invasive
13 vegetation issues; and

14 (6) Provide information to the Legislature for decision
15 making, planning, and coordination of invasive vegetation
16 management and prevention.

17 Sec. 5. The adaptive management plan will address the
18 following:

19 (1) Statewide coordination and intergovernmental
20 cooperation;

21 (2) Prioritization of invasive species response and
22 management;

23 (3) Early detection and prevention of new invasive
24 species through deliberate or unintentional introduction;

25 (4) Inventory and monitoring of invasive species;

1 (5) Identification of re-vegetation, reclamation, or
2 restoration of native vegetation following control or eradication
3 of invasive vegetation;

4 (6) Identification of research and information gaps;

5 (7) Public outreach and education;

6 (8) Identification of funding and resources available for
7 invasive species prevention, control, and management; and

8 (9) Recommendations for legislation regarding invasive
9 species issues.

10 Sec. 6. (1) The adaptive management plan shall be updated
11 at least once every three years following its initial development.
12 The plan shall be submitted to the Governor and the Agriculture
13 Committee of the Legislature.

14 (2) The Nebraska Invasive Species Council shall submit an
15 annual report of its activities to the Governor and the Agriculture
16 Committee of the Legislature by December 15 of each year. The
17 annual report must include an evaluation of progress made in the
18 preceding year.

19 (3) The council shall complete the initial strategic plan
20 within three years after the effective date of this act.

21 (4) Each member of the council shall, consistent with
22 state law, make best efforts to implement elements of the completed
23 plan that are applicable to the department or agency.

24 (5) Prior to the start of the 2012 legislative session,
25 the council shall prepare a report to the Agriculture Committee of

1 the Legislature that makes recommendations as to the extension or
2 modification of the council.

3 (6) The council may establish advisory and technical
4 subcommittees that it considers necessary to aid and advise the
5 council in the performance of its functions. The Department of
6 Agriculture shall provide administrative support for the council.