

LEGISLATURE OF NEBRASKA

ONE HUNDRED SECOND LEGISLATURE

FIRST SESSION

LEGISLATIVE BILL 366

Introduced by McCoy, 39.

Read first time January 13, 2011

Committee: Natural Resources

A BILL

1 FOR AN ACT relating to the Nebraska Environmental Trust Act; to amend
2 section 81-15,175, Reissue Revised Statutes of Nebraska;
3 to change provisions relating to subcommittee
4 recommendations on fund allocations; and to repeal the
5 original section.
6 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 81-15,175, Reissue Revised Statutes of
2 Nebraska, is amended to read:

3 81-15,175 (1) The board may make an annual allocation
4 each fiscal year from the Nebraska Environmental Trust Fund to the
5 Nebraska Environmental Endowment Fund as provided in section
6 81-15,174.01. The board shall make annual allocations from the
7 Nebraska Environmental Trust Fund and may make annual allocations
8 each fiscal year from the Nebraska Environmental Endowment Fund for
9 projects which conform to the environmental categories of the board
10 established pursuant to section 81-15,176 and to the extent the board
11 determines those projects to have merit. The board shall establish a
12 calendar annually for receiving and evaluating proposals and awarding
13 grants. To evaluate the economic, financial, and technical
14 feasibility of proposals, the board may establish subcommittees,
15 request or contract for assistance, or establish advisory groups.
16 Private citizens serving on advisory groups shall be reimbursed for
17 their actual and necessary expenses pursuant to sections 81-1174 to
18 81-1177.

19 (2) The board shall establish rating systems for ranking
20 proposals which meet the board's environmental categories and other
21 criteria. The rating systems shall include, but not be limited to,
22 the following considerations:

23 (a) Conformance with categories established pursuant to
24 section 81-15,176;

25 (b) Amount of funds committed from other funding sources;

1 (c) Encouragement of public-private partnerships;
2 (d) Geographic mix of projects over time;
3 (e) Cost-effectiveness and economic impact;
4 (f) Direct environmental impact; and
5 (g) Environmental benefit to the general public and the
6 long-term nature of such public benefit.

7 (3) The board may establish a subcommittee to rate grant
8 applications. If the board uses a subcommittee, the subcommittee
9 shall (a) use the rating systems established by the board under
10 subsection (2) of this section, (b) assign a numeric value to each
11 rating criterion, combine these values into a total score for each
12 application, and rank the applications by the total scores, (c)
13 recommend an amount of funding for each application, which amount may
14 be more or less than the requested amount, and (d) submit the ranked
15 list and recommended funding to the board for its approval or
16 disapproval. ~~A motion to deviate from the subcommittee's~~
17 ~~recommendations must specify the reason for doing so and be adopted~~
18 ~~with an affirmative vote of not fewer than eight members of the~~
19 ~~board.~~

20 (4) The board may commit funds to multiyear projects,
21 subject to available funds and appropriations. No commitment shall
22 exceed three years without formal action by the board to renew the
23 grant or contract. Multiyear commitments may be exempt from the
24 rating process except for the initial application and requests to
25 renew the commitment.

1 (5) The board shall adopt and promulgate rules and
2 regulations and publish guidelines governing allocations from the
3 fund. The board shall conduct annual reviews of existing projects for
4 compliance with project goals and grant requirements.

5 (6) Every five years the board may evaluate the long-term
6 effects of the projects it funds. The evaluation may assess a sample
7 of such projects. The board may hire an independent consultant to
8 conduct the evaluation and may report the evaluation findings to the
9 Legislature and the Governor.

10 Sec. 2. Original section 81-15,175, Reissue Revised
11 Statutes of Nebraska, is repealed.