

LEGISLATIVE BILL 870

Approved by the Governor May 26, 1999

Introduced by Schellpeper, 18; Bromm, 23; Bruning, 3; Coordsen, 32;
 Cudaback, 36; Hudkins, 21; Janssen, 15; Jones, 43; Kremer, 34;
 Raikes, 25; Schrock, 38; Stuhr, 24; Tyson, 19; Vrtiska, 1;
 Wehrbein, 2; Wickersham, 49

AN ACT relating to the environment; to amend sections 46-656.29, 54-701.03, 54-725, 54-744, 54-2402 to 54-2404, 54-2406 to 54-2409, and 54-2411 to 54-2413, Reissue Revised Statutes of Nebraska; to change water well provisions; to prohibit certain disposal of liquified animal remains; to change livestock composting provisions; to define and redefine terms; to provide exemptions from and requirements for permits under the Livestock Waste Management Act; to change report, fee, application, and review requirements relating to permits under the act; to state intent; to eliminate obsolete provisions; to harmonize provisions; to repeal the original sections; and to declare an emergency.

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

Section 1. Section 46-656.29, Reissue Revised Statutes of Nebraska, is amended to read:

46-656.29. (1) Any person who intends to construct a water well in a management area in this state on land which he or she owns or controls shall, before commencing construction, apply with the district in which the water well will be located for a permit on forms provided by the district, except that (a) no permit shall be required for test holes or dewatering wells with an intended use of ninety days or less, (b) no permit shall be required for a single water well designed and constructed to pump fifty gallons per minute or less, and (c) a district may provide by rule and regulation that a permit need not be obtained for water wells defined by the district to be replacement water wells. A district may require a permit for a water well designed and constructed to pump fifty gallons per minute or less if such water well is commingled, combined, clustered, or joined with any other water well or wells or other water source, other than a water source used to water range livestock. Such wells shall be considered one water well and the combined capacity shall be used as the rated capacity. A district may by rule and regulation require that a permit be obtained for each water well or for one or more categories of water wells designed and constructed to pump fifty gallons per minute or less, other than a water source required for human needs as it relates to health, fire control, and sanitation or used to water range livestock, in ground water management areas in which regulations have been imposed to control declining ground water levels. Forms shall be made available at each district in which a management area is located, in whole or in part, and at such other places as may be deemed appropriate. The district shall review such application and issue or deny the permit within thirty days after the application is filed.

(2) A person shall apply for a permit under this section before he or she modifies a water well for which a permit was not required under subsection (1) of this section into one for which a permit would otherwise be required under such subsection.

(3) The application shall be accompanied by a seventeen-dollar-and-fifty-cent filing fee payable to the district and shall contain (a) the name and post office address of the applicant or applicants, (b) the nature of the proposed use, (c) the intended location of the proposed water well or other means of obtaining ground water, (d) the intended size, type, and description of the proposed water well and the estimated depth, if known, (e) the estimated capacity in gallons per minute, (f) the acreage and location by legal description of the land involved if the water is to be used for irrigation, (g) a description of the proposed use if other than for irrigation purposes, (h) the registration number of the water well being replaced if applicable, and (i) such other information as the district requires.

(4) Any person who has failed or in the future fails to obtain a permit required by subsection (1) or (2) of this section shall make application for a late permit on forms provided by the district.

(5) The application for a late permit shall be accompanied by a two-hundred-fifty-dollar fee payable to the district and shall contain the same information required in subsection (3) of this section.

Sec. 2. Section 54-701.03, Reissue Revised Statutes of Nebraska, is amended to read:

54-701.03. For purposes of sections 54-701 to 54-705 and 54-742 to 54-753.05:

(1) Animal means all vertebrate members of the animal kingdom except humans or uncaptured wild animals;

(2) Domesticated cervine animal means any elk, deer, or other member of the family cervidae legally obtained and raised in a confined area for breeding stock, exhibition, or companionship, or for the carcass, skin, or other part of such animal, but not for hunting or sport;

(3) Livestock means cattle, swine, sheep, horses, goats, domesticated cervine animals, ratite birds, and poultry; ~~and~~

(4) Poultry means domesticated birds that serve as a source of eggs or meat and includes, but is not limited to, chickens, turkeys, ducks, and geese; and

(5) Ratite bird means any ostrich, emu, rhea, kiwi, or cassowary.

Sec. 3. Section 54-725, Reissue Revised Statutes of Nebraska, is amended to read:

54-725. The liquified remains of any dead animal ~~may~~ shall not be injected below the surface of the ground ~~but may not nor~~ be spread above the surface of the ground in any manner. Any person violating the provisions of this section shall be guilty of a Class II misdemeanor.

Sec. 4. Section 54-744, Reissue Revised Statutes of Nebraska, is amended to read:

54-744. (1) Except as set out in subsection (2) of this section, it ~~shall be~~ is the duty of the owner or custodian of any animal which dies from and on account of any infectious, contagious, or otherwise transmissible disease to cause such animal, within thirty-six hours after receiving knowledge of the death of such animal, to be buried at least four feet below the surface of the ground or to be completely burned on the premises where such animal dies unless the animal is disposed of to a duly licensed rendering establishment in this state. Such animal shall not be moved or transported from the premises where such animal has died except by the authorized agents and employees of the rendering establishment to which such carcass is disposed. Any animal which dies of disease or is found dead shall be presumed to have died from and on account of an infectious, contagious, or otherwise transmissible disease.

(2) ~~Chicken and turkey carcasses~~ Livestock carcasses up to three hundred pounds may be incorporated into a composting facility on the premises where the ~~chickens or turkeys~~ livestock died and shall remain in such compost facility until completely composted before spreading on land. Any person incorporating livestock carcasses into a composting facility shall follow the operating procedures as set forth in the Journal of the American Veterinary Medical Association, Volume 210, No. 8. Not less than one copy of such journal, or portion thereof, shall be filed for use and examination by the public in the offices of the Clerk of the Legislature and the Secretary of State. The Department of Agriculture shall regulate the composting of livestock carcasses and shall adopt and promulgate rules and regulations governing the same by December 1, 2000, which rules and regulations may incorporate or may modify the operating procedures set forth in this subsection.

Sec. 5. Section 54-2402, Reissue Revised Statutes of Nebraska, is amended to read:

54-2402. For purposes of the Livestock Waste Management Act:

(1) Animal unit means a unit of measurement for any livestock operation calculated by adding the following numbers: The number of slaughter and feeder cattle multiplied by 1.0, plus the number of mature dairy cattle multiplied by 1.4, plus the number of swine weighing fifty-five pounds or more multiplied by 0.4, plus the number of weaned pigs weighing less than fifty-five pounds multiplied by 0.04, plus the number of sheep multiplied by 0.1, plus the number of horses multiplied by 2.0, plus the number of chickens multiplied by 0.01, plus the number of turkeys multiplied by 0.02, plus the number of ducks multiplied by 0.2. Such calculation may be modified for immature animals under section 54-2413;

(2) Best management practices means schedules of activities, prohibitions, maintenance procedures, and other management practices found to be the most effective and practicable methods for specific sites to prevent or reduce the discharge of pollutants to waters of the state or control odor where appropriate. Best management practices also includes operating procedures and practices to control site runoff, spillage, leaks, sludge or waste disposal, or drainage from raw material storage;

(3) Construct means the initiation of physical onsite activities

specific to the livestock waste control facility. Such activities do not include the use of the site for a borrow site for other construction purposes or the construction of other components of the livestock operation;

(4) Council means the Environmental Quality Council;

~~(4)~~ (5) Department means the Department of Environmental Quality;

~~(5)~~ (6) Discharge means the accidental or intentional spilling, leaking, pumping, pouring, emitting, emptying, or dumping of pollutants into any waters of the state or in a place which will likely reach waters of the state;

(7) Exempt livestock operation means any livestock operation with fewer than three hundred animal units which has not had a confirmed discharge into waters of the state;

(8) Existing livestock waste control facility means a livestock waste control facility in existence prior to April 15, 1998, that does not hold a permit and which has requested an inspection prior to January 1, 2000;

~~(6)~~ Existing livestock waste control facility means any livestock waste control facility that holds a permit issued by the department before April 15, 1998;

~~(7)~~ (9) Livestock operation means the feeding or holding of beef cattle, dairy cattle, horses, swine, sheep, poultry, and other livestock in buildings, lots, or pens which normally are not used for the growing of crops or vegetation but does not include the holding of cattle in calving operations for less than ninety days per year. Two or more livestock operations under common ownership are deemed to be a single livestock operation if they are adjacent to each other or if they utilize a common area or system for the disposal of livestock wastes;

~~(8)~~ (10) Livestock waste control facility means any structure or combination of structures utilized to control livestock waste until it can be used, recycled, or disposed of in an environmentally acceptable manner. Such structures include, but are not limited to, diversion terraces, holding ponds, debris basins, liquid manure storage pits, lagoons, and other such devices utilized to control livestock waste;

~~(9)~~ (11) New livestock waste control facility means any livestock waste control facility that applies for a permit from the department on or after April 15, 1998;

~~(10)~~ (12) Person has the same meaning as in section 81-1502;

~~(11)~~ (13) Prior pending application means an application for a livestock waste control facility received by the department prior to April 15, 1998; and

~~(12)~~ (14) Waters of the state has the same meaning as in section 81-1502.

Sec. 6. Section 54-2403, Reissue Revised Statutes of Nebraska, is amended to read:

54-2403. ~~In order to implement the Livestock Waste Management Act, the Governor shall appoint a livestock waste management task force to work with the department to conduct the study as required by subsection (2) of section 54-2408. Task force members shall include:~~

~~(1) Three representatives of the livestock industry, one representing a class I livestock waste control facility, one representing a class II livestock waste control facility, and one representing either a class III or class IV livestock waste control facility;~~

~~(2) A biological systems engineer from the University of Nebraska;~~

~~(3) One elected representative from the natural resources districts who is not involved in the livestock industry;~~

~~(4) An agronomist from the University of Nebraska;~~

~~(5) A representative from the natural resource conservation service;~~

~~(6) A member of the general public representing environmental interests; and~~

~~(7) A representative of municipalities.~~

~~The task force shall cease to exist on December 1, 1998. (1) Any livestock operation of less than three hundred animal units is exempt from the permitting process, including the requirement to request an inspection under section 54-2406, unless there has been a confirmed discharge into waters of the state or the department has determined that because of conditions at the livestock operation there is a high potential for a discharge into waters of the state in which case the department shall notify the owner of the livestock operation by certified mail that the owner is subject to the requirements of the Livestock Waste Management Act.~~

(2) The department shall not issue a permit for an existing livestock waste control facility which is located within one hundred feet of a water well if the water well is under separate ownership and water from the well is used primarily for human consumption.

Sec. 7. Section 54-2404, Reissue Revised Statutes of Nebraska, is amended to read:

54-2404. (1) ~~When~~ Except as provided in section 54-2403, when there is a potential for discharge into waters of the state, as determined by the department:

(a) No person shall construct a livestock waste control facility without first obtaining a construction permit from the department; and

(b) No person shall operate a livestock waste control facility without an operating permit or interim use authorization from the department.

(2) Livestock waste control facilities shall be classified according to the maximum number of animal units for which the livestock waste control facility is designed. The council, in adopting rules and regulations under section 54-2413, shall set out the requirements for any livestock waste control facility which is reclassified after permit issuance. Classifications shall be as follows:

(a) A class I livestock waste control facility is designed for one thousand or less animal units;

(b) A class II livestock waste control facility is designed for more than one thousand and five thousand or less animal units;

(c) A class III livestock waste control facility is designed for more than five thousand animal units and twenty thousand or less animal units; and

(d) A class IV livestock waste control facility is designed for more than twenty thousand animal units.

Sec. 8. Section 54-2406, Reissue Revised Statutes of Nebraska, is amended to read:

54-2406. (1) Any person owning or operating a livestock operation that does not hold a permit, ~~or~~ has not been notified by the department that no permit was is required, or is not exempt under section 54-2403 shall, on forms prescribed by the department, request the department to inspect such person's livestock operation to determine if a livestock waste control facility is required. If an inspection is requested prior to January 1, 1999, an inspection fee for such inspection shall not be assessed. For inspections requested on or after January 1, 1999, there shall be an inspection fee of fifty dollars for a class I or class II livestock waste control facility and an inspection fee of five hundred dollars for a class III or class IV livestock waste control facility. A person who requests an inspection prior to January 1, 2000, shall not be determined by the department to be in violation of the permitting provisions of the Livestock Waste Management Act prior to issuance or denial of a permit for such livestock waste control facility. However, the person shall not violate any provisions of the Environmental Protection Act. Any exempt livestock operation that has requested an inspection shall have such inspection canceled by the department.

(2) The department shall, in conjunction with natural resources districts and the Cooperative Extension Service of the University of Nebraska, publicize information to make owners and operators of affected livestock operations aware of the need to request an inspection.

(3) Any person required to request an inspection under this section who operates a livestock operation after January 1, 2000, except an exempt livestock operation, without first submitting the request for inspection required under this section shall be assessed, except for good cause shown, a late fee of not less than fifty dollars nor more than five hundred dollars for each offense. Each month a violation continues shall constitute a separate offense.

Sec. 9. Section 54-2407, Reissue Revised Statutes of Nebraska, is amended to read:

54-2407. (1) A permit issued under section 54-2404 or a permit for an existing livestock waste control facility shall be valid as long as the livestock operation continues to operate. A permit issued under section 54-2404 shall be valid as long as the livestock operation continues to operate. Any livestock waste control facility meeting the requirements of subsection (1) of section 54-2403 may continue to operate as long as such requirements are met. The department may modify any permit during its term in the event rules and regulations adopted under the Livestock Waste Management Act change in such a manner as to affect provisions in the permit. The department may require the permitholder to furnish such information as is necessary to determine compliance with current rules and regulations.

(2) The department, in modifying permits under this section, shall include conditions in the permit which will allow a reasonable period of time of up to one year to achieve compliance with the rules and regulations and the act. Modifications shall be done in accordance with section 81-1507 and pursuant to rules and regulations as adopted under section 54-2413.

(3) Any person holding a permit for a livestock waste control facility issued under section 54-2404 ~~person holding a permit issued under section 54-2404 or a permit issued for an existing livestock waste control facility~~ shall notify the department of a change of ownership and other information as prescribed by the department for purposes of review under section 54-2409.

Sec. 10. Section 54-2408, Reissue Revised Statutes of Nebraska, is amended to read:

54-2408. (1) ~~On or after June 17, 1998, any~~ Any person required to obtain a permit for a livestock waste control facility under section 54-2404 shall file an application with the department in the manner established by the department. The application fees shall be three hundred dollars for a class I livestock waste control facility, eight hundred dollars for a class II livestock waste control facility, one thousand five hundred dollars for a class III livestock waste control facility, and five thousand dollars for a class IV livestock waste control facility. For permit modifications the fee shall equal the amount of the application fee for the class of the proposed modification minus the application fee ~~paid for the original application for the size and corresponding class of the facility permitted at the time the modification is requested.~~ If the permit modification will result in a lower class designation, there shall be no fee.

(2) ~~The department, in conjunction with the livestock waste management task force, shall conduct a study to recommend appropriate inspection or operation fees which may be charged to livestock waste control facilities under the Livestock Waste Management Act. Such fees shall, if implemented, in conjunction with other recommended revenue sources, be sufficient to pay the costs of administering and enforcing the act. Such study shall also include best management practices for odor control, the feasibility of requiring financial assurance requirements for class III and class IV livestock waste control facilities and the creation of an indemnification fund, and an analysis of the new technologies available relating to the disposal of dead animals. A report of such study shall be submitted to the Natural Resources Committee of the Legislature no later than December 17, 1998.~~

~~(3)~~ All fees collected under this section and section 54-2406 shall be remitted to the State Treasurer for credit to the Livestock Waste Management Cash Fund which is created for the purposes described in the ~~act~~ Livestock Waste Management Act. Any money in the fund available for investment shall be invested by the state investment officer pursuant to the Nebraska Capital Expansion Act and the Nebraska State Funds Investment Act.

~~(4)~~ (3) On or before January 1 of each year, the department shall submit a report to the Legislature in sufficient detail to document all direct and indirect costs incurred in the previous fiscal year in carrying out the Livestock Waste Management Act, including the number of inspections conducted for each class of livestock waste control facility, the number of permitted livestock waste control facilities, the number of livestock operations inspected, the size of the livestock waste control facilities, the results of water quality monitoring programs, and other elements relating to carrying out the act. The Appropriations Committee of the Legislature shall review the report in its analysis of executive programs in order to verify that the revenue generated from fees was used solely to offset appropriate and reasonable costs associated with carrying out the act.

(4) It is the intent of the Legislature to appropriate one hundred fifty thousand dollars annually to the department to enhance water quality monitoring programs.

Sec. 11. Section 54-2409, Reissue Revised Statutes of Nebraska, is amended to read:

54-2409. (1) In addition to other permit review determinations under the Livestock Waste Management Act and the Environmental Protection Act, the department may reject an application for a construction or operating permit, including a prior pending application for a permit, for a livestock waste control facility upon a finding that the applicant is unsuited or unqualified to perform the obligations of a permit holder. An applicant shall disclose such information as may be required by the department to evaluate suitability, including, but not limited to:

(a) A list of all corporate officers and directors, stockholders owning at least fifty percent of the company's stock or assets, and persons responsible for the operation of the proposed facility;

(b) The location of livestock operations in other states wholly or partially owned or operated by the applicant;

(c) A list of any unauthorized discharges of livestock waste at any facility wholly or partially owned or operated by an applicant regardless of

location, including other states, which caused environmental damage in violation of the laws of the state where the facility is or was located;

(d) A list of all violations of any local, state, or federal environmental law, regulation, permit, license, consent decree, or order occurring in this state or any other state, within five years immediately preceding the date of the submission of the permit application, modification, or transfer; and

(e) A list of the parties, the penalty assessed or paid, any remedial action required in any judicial or administrative actions filed against the applicant within the last five years in any jurisdiction in the United States regardless of whether or not liability was acknowledged, and if such remedial action was completed.

(2) An applicant is unsuited or unqualified to perform the obligations of a permitholder if the applicant, or any officer, director, partner, or ~~resident~~ general manager of the livestock operation for which application has been made:

(a) Has intentionally misrepresented or withheld a material fact in applying for a permit;

(b) Has habitually or intentionally violated environmental laws of any state or the United States or any other nation, which violation has resulted in significant and material environmental damage;

(c) Has had any permit revoked due to a violation of the environmental laws of any state or the United States or any other nation; or

(d) Has otherwise demonstrated through clear and convincing evidence of previous actions that the applicant lacks the necessary competency to reliably carry out the obligations imposed by law upon the permitholder.

~~(2)~~ (3) An application for a new permit or for the transfer or modification of an existing permit for a livestock waste control facility shall include a certification, sworn under oath and signed by the applicant, that he or she is suited or qualified under this section to obtain such a permit and that all information contained in the application is complete and accurate to the best of the applicant's knowledge or belief. Any material misrepresentation of fact in regard to this certification may result in rejection of the application or revocation of an existing permit as provided for in this section.

Sec. 12. Section 54-2411, Reissue Revised Statutes of Nebraska, is amended to read:

54-2411. (1) In carrying out its responsibilities under the Livestock Waste Management Act, the department may contract with the various natural resources districts as appropriate. The contract may include all tasks or duties necessary to carry out the act but shall not enable the natural resources districts to issue permits or initiate enforcement proceedings. The contract may provide for payment of natural resources districts' costs by the department.

(2) ~~Upon~~ Within five days after receipt of a livestock waste control facility permit application, the department shall notify the natural resources district or districts in which the livestock waste control facility is to be located of the permit application. The natural resources district or districts shall have twenty days to comment to the department regarding any conditions that may exist at the proposed site which the department should know when determining the appropriateness of issuing such permit. Such natural resources district or districts may request the department for a twenty-day extension of the comment period.

(3) Within five days after receipt of a livestock waste control facility permit application, the department shall notify the county board or boards of the counties in which the livestock waste control facility is to be located of the permit application. ~~The department shall notify the county board or boards when an application for a livestock waste control facility has been submitted to the department.~~

(4) Upon initial receipt of the permit application, the department has thirty days to conduct a preliminary review of the application and to formally request in writing additional information or to acknowledge that the application is complete. For a class II, class III, or class IV livestock waste control facility once the department has determined an application for a permit to be complete, the department shall issue a notice providing an opportunity for any interested person, within thirty days after publication of notice, to submit written comments on the application which are within the authority of the department under the act. The notice shall be published in a daily or weekly newspaper or other publication with general circulation in the area of the proposed livestock waste control facility and a copy provided to the applicant. Within sixty days after receipt of a completed permit application, the department shall transmit its written findings, conclusions,

and reasons for approval or disapproval to the applicant for any class I or class II livestock waste control facility. Within ninety days after the receipt of a completed permit application, the department shall transmit its findings, conclusions, and reasons for approval or disapproval to the applicant for any class III or class IV livestock waste control facility.

The provisions of this section relating to a period for public comment shall not apply to any new permit applications that have been deemed complete by the effective date of this act. This subsection applies to permit applications received by the department on or after September 17, 1998, for any pending application or any new permit application.

~~(5) The department shall provide for public notice of such permit application for all class III and class IV livestock waste control facilities in the county or counties where the livestock waste control facility is to be located.~~

Sec. 13. Section 54-2412, Reissue Revised Statutes of Nebraska, is amended to read:

54-2412. (1) An applicant for a permit for a livestock waste control facility under the Livestock Waste Management Act shall, before issuance of a permit by the Department of Environmental Quality, obtain any necessary approvals from the Department of Water Resources under section 46-257 and certify such approvals to the Department of Environmental Quality. The Department of Environmental Quality, with the concurrence of the Department of Water Resources, may require the applicant to obtain approval from the Department of Water Resources for any dam or lagoon structure, the failure of which could result in a significant discharge into waters of the state and have a significant impact on the environment. When such approval is required, the Department of Water Resources shall approve or deny the dam or lagoon structure within sixty days after the request is made. The Department of Environmental Quality may provide for the payment of such costs of the Department of Water Resources with revenue generated under section 54-2408.

(2) The department may require an engineering evaluation or assessment performed by a licensed professional engineer for an existing livestock waste control facility if after an inspection: (a) The department determines that the facility has (i) visible signs of structural breakage below the permanent pool, (ii) signs of discharge or proven discharge due to structural weakness, (iii) improper maintenance, or (iv) inadequate capacity; or (b) the department has reason to believe that an existing livestock waste control facility has violated or threatens to violate the Environmental Protection Act, the Livestock Waste Management Act, or any rules or regulations adopted and promulgated under such acts. Notwithstanding the provisions of the Engineers and Architects Regulation Act, the Department of Environmental Quality shall have authority to determine engineering requirements for class I livestock waste control facilities and existing nonpermitted livestock waste control facilities new class I livestock waste control facilities are exempt from the Engineers and Architects Regulation Act.

Sec. 14. Section 54-2413, Reissue Revised Statutes of Nebraska, is amended to read:

54-2413. (1) The council shall adopt and promulgate rules and regulations to carry out the Livestock Waste Management Act. ~~within twelve months after April 15, 1998.~~ The rules and regulations shall include a permit program for livestock waste control facilities which provides for:

(a) A permitting process which includes:

(i) A construction permit which prohibits construction of a livestock waste control facility prior to its issuance;

(ii) An operating permit for new and existing livestock waste control facilities to be issued after terms of the construction permit have been fulfilled and which may be terminated, modified, or revoked by the department for cause;

(iii) An application process which requires a permitting determination by the department within sixty days after receipt of a complete application, an acknowledgment by the applicant that a construction permit may not be approved, and an operating plan to be incorporated into the permit;

(iv) Monitoring of surface or ground water by the permittee which may be necessary as determined by the department where a significant risk to waters of the state exists;

(v) Modification of operating permits in accordance with section 54-2407; ~~and~~

(vi) Notification of the applicant by the department within thirty days if the application is complete or, if the application is not complete, notification as to what information or requirements are needed; ~~and~~

(vii) Modification of the application and permitting process for

existing livestock waste control facilities constructed prior to April 15, 1998;

(b) Requirements for existing livestock waste control facilities whose permits are being modified under section 54-2407;

(c) Best management practices where appropriate to specific sites to control runoff of waste, including adequate area for land application and proper methods and rates of disposal of waste and nutrients such as nitrogen and phosphorus, and best management practices for control of odor; ~~which terminate July 1, 1999;~~

(d) Modifications to the calculation of animal units for immature animals; and

(e) A training program for land application of waste which may include contracting with the Cooperative Extension Service of the University of Nebraska for curriculum development and instruction. Rules and regulations adopted and promulgated under this section may be based upon size classification of livestock waste control facilities and the form of waste management and may include more stringent requirements for facilities of larger size classes and waste control technologies that are more likely to cause adverse impacts.

(3) The council may adopt and promulgate any other rules and regulations necessary to carry out the purposes of the Livestock Waste Management Act.

Sec. 15. Original sections 46-656.29, 54-701.03, 54-725, 54-744, 54-2402 to 54-2404, 54-2406 to 54-2409, and 54-2411 to 54-2413, Reissue Revised Statutes of Nebraska, are repealed.

Sec. 16. Since an emergency exists, this act takes effect when passed and approved according to law.