

AMENDMENTS TO LB 367

1 1. Strike the Schrock et al. amendment, AM1261, and all
2 amendments thereto and insert the following new section:

3 "Sec. 2. Section 66-1519, Revised Statutes Supplement,
4 2002, is amended to read:

5 66-1519. There is hereby created the Petroleum Release
6 Remedial Action Cash Fund to be administered by the department.
7 Revenue from the following sources shall be remitted to the State
8 Treasurer for credit to the fund:

9 (1) The fees imposed by sections 66-1520 and 66-1521;

10 (2) Money paid under an agreement, stipulation,
11 cost-recovery award under section 66-1529.02, or settlement; and

12 (3) Money received by the department in the form of
13 gifts, grants, reimbursements, property liquidations, or
14 appropriations from any source intended to be used for the purposes
15 of the fund.

16 Money in the fund may be spent for: (a) Reimbursement for
17 the costs of remedial action by a responsible person or his or her
18 designated representative and costs of remedial action undertaken
19 by the department in response to a release first reported after
20 July 17, 1983, and on or before June 30, 2005, including
21 reimbursement for damages caused by the department or a person
22 acting at the department's direction while investigating or
23 inspecting or during remedial action on property other than
24 property on which a release or suspected release has occurred; (b)

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1 payment of any amount due from a third-party claim; (c) fee
2 collection expenses incurred by the State Fire Marshal; (d) direct
3 expenses incurred by the department in carrying out the Petroleum
4 Release Remedial Action Act; (e) other costs related to fixtures
5 and tangible personal property as provided in section 66-1529.01;
6 (f) interest payments as allowed by section 66-1524; (g) expenses
7 incurred by the technical advisory committee created in section
8 81-15,189 in carrying out its duties pursuant to section 81-15,190;
9 (h) claims approved by the State Claims Board authorized under
10 section 66-1531; (i) a grant to a city of the metropolitan class in
11 the amount of three hundred thousand dollars, provided within five
12 days after the operative date of this act, to carry out the federal
13 Residential Lead-Based Paint Hazard Reduction Act of 1992, 42
14 U.S.C. 4851 et seq., as such act existed on the operative date of
15 this act; and ~~(i)~~ (j) methyl tertiary butyl ether testing, to be
16 conducted randomly at terminals within the state for up to two
17 years ending June 30, 2003. The amount expended on the testing
18 shall not exceed forty thousand dollars. The testing shall be
19 conducted by the Department of Agriculture. The department may
20 enter into contractual arrangements for such purpose. The results
21 of the tests shall be made available to the Department of
22 Environmental Quality.

23 Transfers may be made from the Petroleum Release Remedial
24 Action Cash Fund to the General Fund at the direction of the
25 Legislature. Transfers may be made from the Petroleum Release
26 Remedial Action Cash Fund to the Water Policy Task Force Cash Fund
27 at the direction of the Legislature.

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1 Any money in the Petroleum Release Remedial Action Cash
2 Fund available for investment shall be invested by the state
3 investment officer pursuant to the Nebraska Capital Expansion Act
4 and the Nebraska State Funds Investment Act. ~~Within fifteen days~~
5 ~~after July 1, 2002, the State Treasurer shall transfer six million~~
6 ~~dollars from the Petroleum Release Remedial Action Cash Fund to the~~
7 ~~General Fund.~~

8 ~~Within fifteen days after July 20, 2002, the State~~
9 ~~Treasurer shall transfer one hundred fifty thousand dollars from~~
10 ~~the Petroleum Release Remedial Action Cash Fund to the Water Policy~~
11 ~~Task Force Cash Fund."~~

12 2. Amend the repealer and renumber the remaining
13 sections accordingly.