

One Hundred Third Legislature - First Session - 2013

Introducer's Statement of Intent

LB637

Chairperson: Senator Bill Avery

Committee: Government, Military and Veterans Affairs

Date of Hearing: February 20, 2013

The following constitutes the reasons for this bill and the purposes which are sought to be accomplished thereby:

LB 637 would require the Nebraska Department of Environmental Quality (NDEQ) to prepare a statement describing the annual economic impact of the proposed rule or regulation on all affected businesses when considering the adoption of rules or regulations imposing requirements different than federal regulations or increase costs on regulated persons and other entities. The agency would also solicit, receive and consider applicable information from the regulated persons and other entities in preparation of the statement.

NDEQ would also be required to file a regulatory flexibility analysis that would consider less intrusive or costly alternative methods for achieving the proposed rule or regulation on regulated persons and other entities including less stringent schedules or deadlines for compliance, simplification of reporting and the establishment of performance standards in place of design or operational standards. If NDEQ determines not to implement an alternative method for achieving compliance rather than imposing new rules and regulations on the affected businesses, the agency would be required to issue a statement explaining their reason and including reference to any data used in the determination.

LB 637 would also require the PRO to review any proposed NDEQ rule or regulation having a total estimated economic impact greater than \$500,000 on all regulated persons or other entities and imposes new requirements or costs on regulated persons and other entities, and consider applicable information from the regulated businesses. PRO may suggest alternatives to reduce the regulatory burden any proposed new NDEQ rule or regulation may impose on regulated persons and other entities.

Principal Introducer: _____

Senator Norman Wallman