

AMENDMENTS TO LB632

Introduced by Natural Resources.

1 1. Strike the original sections and insert the following new
2 sections:

3 Sec. 2. Section 13-2001, Reissue Revised Statutes of Nebraska, is
4 amended to read:

5 13-2001 Sections 13-2001 to 13-2043 and section 4 of this act shall
6 be known and may be cited as the Integrated Solid Waste Management Act.

7 Sec. 3. Section 13-2003, Reissue Revised Statutes of Nebraska, is
8 amended to read:

9 13-2003 For purposes of the Integrated Solid Waste Management Act,
10 the definitions found in sections 13-2004 to 13-2016.01 and section 4 of
11 this act shall be used.

12 Sec. 4. Container means a bag, cup, can, pouch, package, container,
13 bottle, or other packaging that is (1) designed to be reusable,
14 recyclable, or single-use, (2) made of cloth, paper, plastic, including
15 foamed or expanded plastic, cardboard, corrugated material, aluminum,
16 glass, or postconsumer recycled or similar material or substrates,
17 including coated, laminated, or multilayer substrates, and (3) designed
18 for consuming, protecting, or transporting merchandise, food, or
19 beverages from or at a food service or retail facility.

20 Sec. 5. Section 13-2017, Reissue Revised Statutes of Nebraska, is
21 amended to read:

22 13-2017 It is the policy of this state:

23 (1) To encourage the development of integrated solid waste
24 management programs, including waste volume reduction and recycling
25 programs and education, at the local governmental level through
26 incentives, technical assistance, grants, and other practical measures;

27 (2) To support and encourage the development of new uses and markets

1 for recycled goods, placing emphasis on the development in Nebraska of
2 businesses relating to waste reduction and recycling;

3 (3) To provide education concerning the components of integrated
4 solid waste management, at the elementary level through the high school
5 level and through community organizations, to enhance the success of
6 local programs requiring public involvement;~~and~~

7 (4) To support and encourage manufacturing methods which are
8 environmentally sustainable, technologically safe, and ecologically sound
9 and which enhance waste reduction by creating products which have longer
10 usage life and which are adaptable to secondary uses through processes
11 such as pyrolysis or biomass, require less input material, and decrease
12 resource consumption; and -

13 (5) To encourage uniform regulation of containers in order to avoid
14 the burden on retailers of having to comply with varying regulatory
15 policies in multiple jurisdictions.

16 Sec. 6. Section 13-2023, Reissue Revised Statutes of Nebraska, is
17 amended to read:

18 13-2023 (1) A county, municipality, or agency may, by ordinance or
19 resolution, adopt regulations governing collection, source separation,
20 storage, transportation, transfer, processing, treatment, and disposal of
21 solid waste within its solid waste jurisdiction area as necessary to
22 protect the public health and welfare and the environment. Regulations
23 authorized by this section shall be equal to or more stringent than the
24 provisions of the Integrated Solid Waste Management Act and rules and
25 regulations adopted and promulgated by the council as authorized by the
26 act. Any person who violates any such regulation shall be subject to a
27 noncompliance fee not to exceed five hundred dollars.

28 (2) A county, municipality, or agency shall not adopt, enforce, or
29 otherwise administer an ordinance or resolution that prohibits the use of
30 or that sets standards, fees, prohibitions, or requirements regarding the
31 sale, use, or marketing of containers. This subsection shall not apply to

1 county, municipality, or agency recycling or solid waste collection
2 programs, except that in no event shall such programs prohibit or have
3 the effect of prohibiting the sale, use, or marketing of any containers.

4 Sec. 14. Original sections 13-2001, 13-2003, 13-2017, 13-2023,
5 70-1605, and 70-1606, Reissue Revised Statutes of Nebraska, and section
6 2-1504, Revised Statutes Cumulative Supplement, 2018, are repealed.