

LEGISLATURE OF NEBRASKA
ONE HUNDRED SIXTH LEGISLATURE
FIRST SESSION

LEGISLATIVE BILL 552

Introduced by McDonnell, 5; Pansing Brooks, 28.

Read first time January 22, 2019

Committee: Appropriations

- 1 A BILL FOR AN ACT relating to the Nebraska Tree Recovery Program; to
- 2 amend sections 72-1901, 72-1902, and 72-1904, Reissue Revised
- 3 Statutes of Nebraska; to change legislative findings, intent
- 4 relating to appropriations, and application deadlines; and to repeal
- 5 the original sections.
- 6 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 72-1901, Reissue Revised Statutes of Nebraska, is
2 amended to read:

3 72-1901 The Legislature finds that, due to severe weather
4 conditions, invasive species, and diseases, cities and villages across
5 Nebraska are experiencing tree mortality. Most cities and villages have
6 been unable to act decisively and preventively due to insufficient funds
7 to remove, dispose of, and replace trees situated on public land. Dead
8 trees are fast becoming a ~~liability~~ and a safety problem for cities and
9 villages.

10 Sec. 2. Section 72-1902, Reissue Revised Statutes of Nebraska, is
11 amended to read:

12 72-1902 It is the intent of the Legislature that three million two
13 ~~hundred fifty thousand~~ dollars be appropriated from the General Fund for
14 fiscal year 2019-2020 and for each fiscal year thereafter until the
15 Legislature finds that ash trees are no longer a safety issue for cities
16 and villages, 1994-95 for a program to fund tree removal, disposal, and
17 replacement costs. The Nebraska Forest Service of the University of
18 Nebraska Institute of Agriculture and Natural Resources ~~Department of~~
19 ~~Forestry, Fisheries and Wildlife~~ shall administer the program through a
20 grant process, and the program shall be known as the Nebraska Tree
21 Recovery Program. The Nebraska Community Forestry Council shall act as an
22 advisory body in administration of the program. The service shall adopt
23 and promulgate rules and regulations necessary to carry out sections
24 72-1901 to 72-1904.

25 Sec. 3. Section 72-1904, Reissue Revised Statutes of Nebraska, is
26 amended to read:

27 72-1904 Applications for grants for ~~the first year of~~ the Nebraska
28 Tree Recovery Program shall be received each year by a date established
29 by not later than July 1, 1994, and grants shall be awarded not later
30 than October 1, 1994. In subsequent years the Nebraska Forest Service of
31 the University of Nebraska Institute of Agriculture and Natural Resources

1 ~~Department of Forestry, Fisheries and Wildlife shall establish the date~~
2 ~~by which applications must be submitted, and grants shall be awarded not~~
3 ~~later than ninety days after such date.~~

4 The following shall be considered in reviewing a proposal of an
5 applicant for a grant from the program:

6 (1) Grant money shall be used to plant, ~~or remove, or dispose of~~
7 only those trees located only on land owned by state or local
8 governments, including parks, public grounds, and city rights-of-way;

9 (2) Trees shall be purchased from commercial Nebraska nurseries;

10 (3) The applicant shall provide funds to match the grant at a fifty-
11 fifty match rate;

12 (4) Local labor may be considered as in-kind participation in
13 calculating the amount of the applicant's matching funds required by
14 subdivision (3) of this section;

15 (5) No state or local funds under the program shall be used to
16 purchase real property;

17 (6) Tree species to be planted under the proposal shall be adaptable
18 to Nebraska and the local area in order for such trees to grow and
19 thrive;

20 (7) Arboricultural experts may be consulted at the local and state
21 levels for expertise in developing local tree replanting programs;

22 (8) Local programs shall indicate a partnership between the
23 applicant and property owners showing how to best replant and maintain
24 trees for the first three years after planting; and

25 (9) Cities, villages, civic groups, students, and families should be
26 involved in selecting, replanting, and caring for trees for the valuable
27 educational aspects of the program.

28 Sec. 4. Original sections 72-1901, 72-1902, and 72-1904, Reissue
29 Revised Statutes of Nebraska, are repealed.