

## LEGISLATIVE BILL 987

Approved by the Governor March 12, 1990

Introduced by Schmit, 23

AN ACT relating to recycling; to amend sections 81-1140.01 to 81-1140.06 and 81-1602, Reissue Revised Statutes of Nebraska, 1943; to change provisions relating to state government recycling; to name an act; to define a term; to change the implementing agency; to provide for collection and disposition of state government refuse; 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. Sections 1 to 7 of this act shall be known and may be cited as the State Government Recycling Management Act.

Sec. 2. That section 81-1140.01, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

81-1140-01- As used in sections 81-1140-01 to 81-1140-06 For purposes of the State Government Recycling Management Act, unless the context otherwise requires, office wastepaper state government refuse shall mean these papers that are discarded in a business office any product or material discarded by the state, including, but not limited to, forms, envelopes, copy paper, stationery, and other papers that are normally associated with desk-work activity that are collected from an office building as wastepaper paper, paperboard, aluminum and other metals, yard waste, glass, tires, oil, and plastics.

Sec. 3. That section 81-1140.02, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

81-1140-02- It is the intent of sections 81-1140-01 to 81-1140-06, the State Government Recycling Management Act and the public policy of this state, to recognize the importance of limited natural resources, to prevent waste, and to promote the most energy saving and resource-saving use of state government refuse the state's office wastepaper and the most efficient and economical method of recycling and disposing of office wastepaper products of the state

such refuse.

Sec. 4. That section 81-1140.03, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

81-1140-03- A program for the collection for recycling and sale of office wastepaper state government refuse shall be designed and implemented by the State Energy Office in all Department of Administrative Services in such state-operated buildings, as is determined to be practicable by the Department of Administrative Services.

Sec. 5. That section 81-1140.04, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

81-1140-04- The State Energy Office Department of Administrative Services shall obtain pricing information and shall contract to sell the recyclable office wastepaper products state government refuse for the best terms available in the marketplace. If the department office is unable to locate a purchaser for the office wastepaper refuse or such sale would not be in the best economic interests of the state and the office department is unable to locate a nonpaying contractee to recycle the office wastepaper, the department refuse, the office shall make such other disposition of the wastepaper refuse as is most practical and which is in the best interests of the state.

Sec. 6. That section 81-1140.05, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

81-1140-05- All proceeds from the program required by section 4 of this act and from the sale of sale of office wastepaper, as authorized by section 81-1140-03, and any equipment related to such program shall be placed in the Resource Recovery Fund, which fund is hereby created. Any money in the fund available for investment shall be invested by the state investment officer pursuant to sections 72-1237 to 72-1269. Such 72-1276. The fund shall be used for the administration and implementation of this the program. Any excess funds, as determined by the Director of Administrative Services the State Energy Office, not necessary for implementation of the wastepaper recovery and sale program shall be paid remitted to the State Treasurer for credit to the General Fund.

Sec. 7. That section 81-1140.06, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

81-1140-06- The State Energy Office Department of Administrative Services may adopt and promulgate all rules and regulations necessary to carry out sections 81-1140-01 to 81-1140-06 the State Government Recycling Management Act.

Sec. 8. That section 81-1602, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

81-1602. The State Energy Office shall have the following duties:

- (1) To serve as or assist in developing and coordinating a central repository within state government for the collection of data on energy;
- (2) To undertake a continuing assessment of the trends in the availability, consumption, and development of all forms of energy;
- (3) To collect and analyze data relating to present and future demands and resources for all sources of energy and to specify energy needs for the state;
- (4) To recommend to the Governor and the Legislature energy policies and conservation measures for the state and to carry out such measures as are adopted;
- (5) Provide To provide for public dissemination of appropriate information on energy, energy sources, and energy conservation;
- (6) To accept, expend, or dispense funds, public or private, made available to it for research studies, demonstration projects, or other activities which are related either to energy conservation or development;
- (7) To study the impact and relationship of state energy policies to national and regional energy policies- Engage and engage in such activities as will reasonably insure that the State of Nebraska and its citizens receive an equitable share of energy supplies, including the administration of any federal or state-mandated energy allocation programs;
- (8) To actively seek the advice of the citizens of Nebraska regarding energy policies and programs;
- (9) To prepare emergency allocation plans suggesting to the Governor actions to be taken in the event of serious shortages of energy;
- (10) To design a state program for conservation of energy;
- (11) Provide To provide technical assistance to local subdivisions of government; and
- (12) Provide To provide technical assistance

to private persons desiring information on energy conservation techniques and the use of renewable energy technologies; and

(13) To administer and implement the State Government Recycling Management Act.

Sec. 9. That original sections 81-1140.01 to 81-1140.06 and 81-1602, Reissue Revised Statutes of Nebraska, 1943, are repealed.

Sec. 10. Since an emergency exists, this act shall be in full force and take effect, from and after its passage and approval, according to law.