

Revised
September, 1995

NEBRASKA RANGELAND GRASSHOPPER CONTROL ACT

Administration: This Act is administered by the Nebraska Department of Agriculture, Bureau of Plant Industry, State Office Building, 301 Centennial Mall South, Lincoln, Nebraska 68509; telephone: (402) 471-2394.

Revisions: The provisions of this Act were last revised during the 1995 session of the Nebraska Legislature. This reproduction was prepared following that session.

Rules: There are no regulations currently promulgated under the provisions of this Act.

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2-1066. Plant diseases, insect pests; assent to resolution of Congress; county general fund available for pest control. The State of Nebraska hereby assents to public resolution No. 91, 75th Congress, Chapter 192, 3d session, S. J. Res. 256, as approved May 9, 1938, by a joint resolution entitled Joint Resolution making funds available for the control of incipient or emergency outbreaks of insect pests or plant diseases, including grasshoppers, Mormon crickets, and chinch bugs, and the several counties of the State of Nebraska are hereby authorized and empowered to expend money from the general funds of the county for the control and eradication of insect pests and plant diseases whenever, in the judgment of the county boards, the control or eradication of such pests becomes necessary for the protection of the agricultural or horticultural crops within the county. The expenditures authorized in this section from the general funds of the several counties may be made to purchase

materials or equipment, to lease buildings for storage of material and equipment, or to hire labor needed for a control program in cooperation with the Department of Agriculture of the State of Nebraska, the University of Nebraska Institute of Agriculture and Natural Resources, or the United States Department of Agriculture.

2-1067. Plant diseases, insect pests; control outbreaks; cooperative agreements; authorized; appropriation. The Department of Agriculture may enter into cooperative agreements with any state or federal agency pursuant to Senate Joint Resolution 256, 75th Congress 3rd Session (May 9, 1938), for the control of incipient or emergency outbreaks of insect pests or plant diseases whenever the Director of Agriculture determines that such control is necessary for the protection of cropland and rangeland in the State of Nebraska. Nothing in this section shall be deemed to authorize the Department of Agriculture to submit a state plan pursuant to the Federal Insecticide, Fungicide and Rodenticide Act, as amended, to the federal Environmental Protection Agency. There are hereby authorized to be appropriated annually from the General Fund such sums as may be necessary to accomplish control activities not to exceed one-third of the cost of controlling such outbreaks.

2-1068. Grasshopper control program; authorized. The Department of Agriculture, in participating in a cooperative federal-state-rancher rangeland grasshopper control program authorized under sections 2-1068 to 2-1070, may enter into such contracts as may be necessary to effectively accomplish the control activities including, but not necessarily limited to, contracts for the spraying of insecticides or other control measures, contracts for the purchase of needed materials and equipment, contracts for the transportation or storage of needed materials and equipment, and contracts with participating ranchers.

2-1069. Grasshopper control program; oral bidding procedures authorized. To facilitate the ability of the Department of Agriculture to conduct a rangeland grasshopper control program with maximum effectiveness, the department shall be allowed to utilize a bidding process involving oral rather than written bidding procedures when emergency conditions are found to exist by the department. The department shall conduct all aspects of the bidding procedures in writing when such would not hamper the effectiveness of the program. When oral bidding procedures are used or relied upon, agreements or understandings reached shall be reduced to writing as soon thereafter as possible.

2-1070. Grasshopper Control Cash Fund; created; deposits; expenditures; investment. The Department of Agriculture is authorized to collect money paid by participating ranchers as their estimated one-third share of the cost of conducting the

control program. Such money shall be credit to the Grasshopper Control Cash Fund, which fund is hereby created. Federal funds paid to the department as the federal one-third share of the cost of the program shall be deposited in a federal fund specifically established for that purpose. All money in such funds shall be expended solely for the administration of the program authorized by sections 2-1068 to 2-1070. Any money in the fund available for investment shall be invested by the state investment officer pursuant to the Nebraska Capital Expansion Act and the Nebraska State Funds Investment Act.

2-1071. Act, how cited. Sections 2-1066 to 2-1071, shall be known and may be cited as the Nebraska Rangeland Grasshopper Control Act.

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