

E AND R AMENDMENTS TO LB 882

Introduced by Enrollment and Review Committee: Nordquist, 7,
Chairperson

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

3 Section 1. Section 54-744, Revised Statutes Supplement,
4 2009, is amended to read:

5 54-744 (1) Except as set out in subsections (2) and
6 (3) of this section and section 54-776, it is the duty of the
7 owner or custodian of any dead animal to cause such animal, within
8 thirty-six hours after receiving knowledge of the death of such
9 animal, to be buried at least four feet below the surface of the
10 ground or to be completely burned on the premises where such animal
11 dies unless the animal is disposed of to a duly licensed rendering
12 establishment in this state. Such animal shall not be moved or
13 transported from the premises where such animal has died except by
14 the authorized agents and employees of the rendering establishment
15 to which such carcass is disposed.

16 (a) Buried at least four feet below the surface of the
17 ground or completely incinerated or composted on the premises where
18 such animal dies or on an adjacent property under the ownership and
19 control of the owner or custodian. Any vehicle used by the owner
20 or custodian to transport such dead animal shall be constructed
21 in such a manner that the contents are covered and will not
22 fall, leak, or spill therefrom. Violation of this subdivision is a
23 traffic infraction as defined in section 60-672; or

1 (b) Transported by a licensed rendering establishment to
2 either a rendering establishment licensed under the Nebraska Meat
3 and Poultry Inspection Law or to a facility with a permit to
4 operate as a landfill under the Integrated Solid Waste Management
5 Act. The operator of a landfill is not required by this subdivision
6 to accept dead animals.

7 (2) Livestock carcasses up to six hundred pounds may
8 be incorporated into a composting facility on the premises where
9 the livestock died and shall remain in such compost facility
10 until completely composted before spreading on land. Any person
11 incorporating livestock carcasses into a composting facility shall
12 follow the operating procedures as set forth in the Journal of
13 the American Veterinary Medical Association, Volume 210, No. 8.
14 Not less than one copy of such journal, or portion thereof,
15 shall be filed for use and examination by the public in the
16 offices of the Clerk of the Legislature and the Secretary of
17 State. The Department of Agriculture shall regulate the composting
18 of livestock carcasses and shall adopt and promulgate rules
19 and regulations governing the same. Any person incorporating
20 livestock carcasses into a composting facility shall follow the
21 operating procedures established by the Department of Agriculture
22 in consultation with the University of Nebraska Institute of
23 Agriculture and Natural Resources. , which rules and regulations
24 may incorporate or may modify the operating procedures set forth in
25 this subsection.

26 (3) An animal carcass or carcass part may be transported
27 by the owner or the owner's agent to a veterinary clinic

1 or veterinary diagnostic laboratory for purposes of performing
2 diagnostic procedures.

3 (4) In addition to methods listed in subsections (1)
4 and (2) of this section, animal carcasses or carcass parts may
5 be disposed of by a veterinary clinic or veterinary diagnostic
6 laboratory by alkaline hydrolysis tissue digestion. For purposes
7 of this section, alkaline hydrolysis tissue digestion means a
8 process that utilizes an alkaline agent and heat to catalyze the
9 decomposition and reduction of biological tissues. This section
10 shall not exempt the products of alkaline hydrolysis tissue
11 digestion from any applicable law, rule, or regulation governing
12 disposal of wastes.

13 ~~(4)~~ (5) Carcasses disposed of in compliance with this
14 section or section 54-744.01 are exempt from the requirements for
15 disposal of solid waste under the Integrated Solid Waste Management
16 Act.

17 Sec. 2. This act becomes operative on October 1, 2010.

18 Sec. 3. Original section 54-744, Revised Statutes
19 Supplement, 2009, is repealed.

20 2. On page 1, line 3, after the semicolon insert "to
21 provide a penalty; to provide an operative date;".