

NEBRASKA
PUBLICATIONS
CLEARINGHOUSE

JUN 03 1998

NEBRASKA LIBRARY COMMISSION
LINCOLN, NE 68508STATE of NEBRASKA
EXECUTIVE OFFICE
LINCOLN

EXECUTIVE ORDER 94-1

GOVERNMENT MANDATES RELIEF INITIATIVE

WHEREAS, Congress and the federal government continue to impose a multitude of new mandates upon the states creating significant new financial and human resource responsibilities associated with mandate compliance. Compliance with federal mandates is frequently enforced by withholding federal funding for programs and projects. The State of Nebraska plays a significant role in implementing federal mandates and sometimes transferring compliance costs and responsibilities to local governments and private enterprises. Additionally, the State of Nebraska engages in creating its own state mandates that further add local compliance challenges. There is a clear and pressing need for Nebraska to evolve a strategy to more effectively provide the state, local and tribal governments, as well as the private sector, necessary relief from the cumulative cost and impact of government mandates.

WHEREAS, the State of Nebraska has clear moral and legal responsibilities to promote public health and safety, protection of the environment, and assurance of human rights. The State of Nebraska is committed to the prudent and necessary enforcement of public policies to carry out these responsibilities. However, it is equally important to ensure that these requirements are reasonable and appropriate and to create a more comprehensive and effective state strategy to provide necessary and appropriate mandate relief to the state, local and tribal governments, and the private sector.

NOW, THEREFORE, I, E. Benjamin Nelson, Governor of the State of Nebraska, by the authority vested in me as the Governor by the Constitution and the laws of the State of Nebraska, and in order to reduce the imposition of unnecessary and/or unreasonable mandates upon the State of Nebraska, local and tribal governments, and the private sector; to streamline the processes for complying with enacted mandates; and to establish regular and meaningful consultation and collaboration with the Federal Government, local and tribal governments, and the private sector to ensure the most reasonable and effective enactment of necessary mandates, it is hereby ordered as follows:

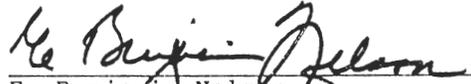
To the extent feasible and permitted by law, executive departments and agencies shall (1) not promulgate any regulation that is not required by statute and/or federal law, (2) create strategies to reduce and/or streamline mandate requirements, (3) ensure adequate capacity and/or provision has been made to pay the direct costs incurred by local and tribal government in complying with mandates, and (4) ensure that compliance costs are reasonable for affected private sector enterprises.

To the extent feasible and permitted by law, each executive department or agency shall develop strategies to provide mandate-affected parties increased flexibility in complying with mandates. Express strategies shall be developed for all designated mandates to afford affected parties increased compliance flexibility.

To the extent feasible and permitted by law, each executive department or agency shall develop an effective process to permit the parties which are or will be impacted by a mandate to provide meaningful and timely input in the development of regulatory proposals containing significant mandates.

Executive Order 94-1 shall exist until action is taken by the Legislature or this Order is amended and repealed by the Governor of the State of Nebraska.

IN WITNESS WHEREOF, I have hereunto set my hand, and caused the Great Seal of the State of Nebraska to be affixed this 5th day of January, in the year of our Lord one thousand nine hundred and ninety-four.


E. Benjamin Nelson
Governor

Attest:


Allen J. Beermann
Secretary of State

