

AMENDMENTS TO LB 590

(Amendments to Standing Committee amendments, AM1072)

Introduced by Hadley

1 1. On page 24, line 27, after "(1)" insert "Any
2 nonparticipating manufacturer may post a bond or its cash
3 equivalent for the benefit of the state which is subject to
4 execution under subsection (3) of this section.".

5 2. On page 30, strike lines 18 through 27 and insert:

6 "(3) As a condition of the stamping agent's agreement
7 to purchase cigarettes from a nonparticipating manufacturer, a
8 stamping agent may require a nonparticipating manufacturer to
9 prepay the escrow deposit amount owed pursuant to subdivision (2)
10 of section 69-2703 by the nonparticipating manufacturer into the
11 escrow account designated in its certification of compliance on
12 file with the state. The stamping agent may require proof from the
13 escrow agent of the prepayment of escrow.

14 (4) A stamping agent shall not be liable for escrow
15 deposits under subsection (1) or (2) of this section if the
16 stamping agent, at the time of purchase of such nonparticipating
17 manufacturers' cigarettes:

18 (a) Requires the nonparticipating manufacturer to prepay
19 the escrow deposit under subsection (3) of this section;

20 (b) Obtains a proof of prepayment of the escrow owed from
21 the escrow agent under subsection (3) of this section; and

22 (c) Determines that the nonparticipating manufacturer is

1 on the state directory pursuant to section 69-2706.".

2 3. On page 31, strike lines 1 through 4; in line 24
3 after "report" insert "required under section 69-2708 or section 14
4 or 26 of this act"; and in line 25 after "certification" insert
5 "required under section 69-2708, subsection (2) of section 77-2603,
6 or section 14 of this act".

7 4. On page 32, strike beginning with "during" in line
8 23 through "section" in line 24 and insert "within ten days after
9 receipt of notice of such violation".

10 5. On page 41, strike beginning with the comma in line
11 7 through the first comma in line 8 and insert "under subsection
12 (2) of section 69-2709"; and in line 10 after the period insert
13 "If a stamping agent's license is terminated in another state for
14 a violation similar to those listed in subdivision (2)(a), (b),
15 (c), or (d) of section 69-2709 that was not knowing or intentional,
16 the stamping agent shall not be subject to license termination if
17 the stamping agent fully cures such violation and provides notice
18 of such cure to the Department of Revenue within ten days after
19 receipt of notice of such violation.".

20 6. On page 54, line 24, strike beginning with "has"
21 through "Commissioner" and insert "is excused from liability".

22 7. On page 60, line 18, reinstate "thirty" and strike
23 "fifteen".