

AMENDMENTS TO LB 1234

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

3           "Section 1.   (1) Except as otherwise provided in this  
4 section, all gasoline offered for sale, sold, or dispensed for use  
5 as motor fuel in Nebraska shall, beginning January 1, 2001, contain  
6 a renewable fuel content equal to or greater than three and  
7 one-half percent weight oxygen.   For purposes of this section,  
8 renewable fuel means fuel made from renewable sources such as  
9 ethanol produced from corn, sorghum, and biomass.

10           (2) Gasoline shall be exempt from the requirements of  
11 subsection (1) of this section if it is (a) a premium grade fuel  
12 containing ninety-one or more octane, (b) fuel containing  
13 eighty-seven or less octane, or (c) offered for sale, sold, or  
14 dispensed for use at an airport in aircraft.

15           Sec. 2.   The Department of Revenue shall monitor  
16 wholesale terminal prices of gasoline offered for sale, sold, or  
17 dispensed pursuant to section 1 of this act. If at any time the  
18 wholesale price of blended renewable fuel is more than the  
19 wholesale price of premium grade fuel, the department shall cause  
20 the renewable fuel content to be adjusted to reduce the wholesale  
21 price differential.   The wholesale price differential shall be  
22 based upon the Axxis Petroleum Rack Price Report or other commonly  
23 used wholesale price reports as determined by the department.

24           Sec. 3.   The Attorney General shall enforce sections 1

1 and 2 of this act and may:

2 (1) Subpoena witnesses, compel their attendance, examine  
3 them under oath, and require the production of documents, records,  
4 or tangible things deemed relevant to the proper performance of his  
5 or her duties. Service of any subpoena shall be made in the manner  
6 prescribed by the rules of civil procedure;

7 (2) Bring suit to enjoin a violation or threatened  
8 violation of section 1 of this act. Venue for such action shall be  
9 in the county in which the alleged violation occurred, is  
10 occurring, or is threatening to occur, or in Lancaster County; and

11 (3) Impose or levy an administrative fine of not more  
12 than one thousand dollars on any person who has violated section 1  
13 of this act. Any separate activity or day in which an activity  
14 takes place shall be considered to be a separate violation.

15 Sec. 4. On or before December 1 of each year, the  
16 Department of Revenue shall issue a report to the Legislature  
17 regarding its duties pursuant to section 2 of this act.

18 Sec. 5. This act becomes operative on January 1, 2001.

19 Sec. 6. The following section is outright repealed:  
20 Section 66-1225, Reissue Revised Statutes of Nebraska.".