

AMENDMENTS TO LB 329

(Amendments to AM1588)

1           1. Insert the following new section:

2           "Sec. 13. Section 81-2,162.06, Reissue Revised Statutes  
3 of Nebraska, is amended to read:

4           81-2,162.06. (1) There shall be paid to the director,  
5 for all commercial fertilizers and soil conditioners distributed in  
6 this state to the ultimate user, except custom-blended products, an  
7 inspection fee at the rate fixed by the director but not exceeding  
8 ~~ten~~ twenty cents per ton. The fee shall be paid by the person  
9 distributing the product to the ultimate user.

10           (2) Payment of the inspection fee shall be evidenced by a  
11 statement made with documents showing that fees corresponding to  
12 the tonnage were received by the director.

13           (3) Every person who distributes commercial fertilizer or  
14 soil conditioners to the ultimate user in this state shall file,  
15 not later than the last day of January and July of each year, a  
16 semiannual tonnage report on forms provided by the department  
17 setting forth the number of net tons of commercial fertilizer and  
18 soil conditioners distributed in this state during the preceding  
19 six-month period, which report shall cover the periods from July 1  
20 to December 31 and January 1 to June 30, and such other information  
21 as the director shall deem necessary. All persons required to be  
22 licensed pursuant to the Nebraska Commercial Fertilizer and Soil  
23 Conditioner Act shall file such report regardless of whether any

1 inspection fee is due. Upon filing the report, such person shall  
2 pay the inspection fee at the rate prescribed pursuant to  
3 subsection (1) of this section. The minimum inspection fee  
4 required pursuant to this section shall be five dollars, and no  
5 inspection fee shall be paid more than once for any one product.

6 (4) If a person fails to report and pay the fee required  
7 by subsection (3) of this section by January 31 and July 31, he or  
8 she may be required by the department to pay a penalty of up to  
9 twenty-five percent in addition to the fee due if paid during the  
10 period of February 1 to February 28 or August 1 to August 31 for  
11 the respective delinquency and an additional twenty-five percent  
12 penalty thereafter. Failure to make an accurate statement of  
13 tonnage or to pay the inspection fee or comply as provided in this  
14 subsection shall constitute sufficient cause for the cancellation  
15 of all product registrations, licenses, or both on file for such  
16 person.

17 (5) No information furnished to the department under this  
18 section shall be disclosed in such a way as to reveal the operation  
19 of any person.".

20 2. On page 14, line 26, strike "all", show as stricken,  
21 and insert "Except as provided in this section, the".

22 3. On page 15, line 12, after the period insert  
23 "One-half of the money received under section 81-2,162.06 shall be  
24 remitted to the State Treasurer for credit to the Natural Resources  
25 Water Quality Fund.".

26 4. Renumber the remaining sections and correct the  
27 repealer accordingly.