

LEGISLATURE OF NEBRASKA
NINETY-EIGHTH LEGISLATURE
FIRST SESSION

LEGISLATIVE BILL 374

Introduced by Connealy, 16; Cunningham, 40

Read first time January 14, 2003

Committee: Agriculture

A BILL

1 FOR AN ACT relating to motor fuel; to amend section 89-186, Reissue
2 Revised Statutes of Nebraska; to eliminate labeling and
3 disclosure requirements; to repeal the original section;
4 and to outright repeal section 66-1214, Reissue Revised
5 Statutes of Nebraska.
6 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 89-186, Reissue Revised Statutes of
2 Nebraska, is amended to read:

3 89-186. (1) The Legislature hereby adopts by reference
4 the following:

5 (a) The standards of the National Conference on Weights
6 and Measures published in National Institute of Standards and
7 Technology Handbook 44 entitled Specifications, Tolerances, and
8 Other Technical Requirements for Weighing and Measuring Devices as
9 it exists on August 28, 1999, except Section 3.31. Vehicle - Tank
10 meters. UR.2.2. Ticket Printers; Customer Ticket, Section 2.20.
11 Scales, N.3. Minimum Test Weights and Test Loads; and Table 4, are
12 not adopted. In addition to the language found in Section 3.30.
13 Liquid-Measuring Devices, S.1.6.4., S.1.6.5., UR.3.2., and UR.3.3.
14 of such handbook, any computing device in which a product or grade
15 is offered for sale at more than one unit price may also compute at
16 the lowest possible unit price for such transaction. All prices
17 shall still be displayed or posted on the face of the dispenser.
18 Such handbook shall govern all commercial and law enforcement
19 weighing and measuring devices in the state;

20 (b) The Uniform Regulation for the Method of Sale of
21 Commodities of the National Conference on Weights and Measures
22 published in National Institute of Standards and Technology
23 Handbook 130 entitled Uniform Laws and Regulations as it exists on
24 August 28, 1999, except Section 2.20.1., Method of Retail Sale -
25 Type of Oxygenate Must be Disclosed. Such handbook shall be used
26 to determine the proper units of measurement to be used in the
27 keeping for sale or sale of commodities;

28 (c) The Uniform Packaging and Labeling Regulation of the

1 National Conference on Weights and Measures published in National
2 Institute of Standards and Technology Handbook 130 entitled Uniform
3 Laws and Regulations as it exists on August 28, 1999. Such
4 handbook shall govern the packaging and labeling by weight,
5 measure, or count of commodities kept for sale or sold in this
6 state; and

7 (d) The procedures designated in National Institute of
8 Standards and Technology Handbook 133 entitled Checking the Net
9 Contents of Packaged Goods as it exists on August 28, 1999.

10 (2) Copies of the handbooks adopted by reference in this
11 section shall be filed with the Secretary of State, Clerk of the
12 Legislature, and Department of Agriculture.

13 (3) Whenever there exists an inconsistency between the
14 provisions of the Weights and Measures Act other than this section
15 and any of the handbooks adopted by reference, the requirements of
16 such provisions of the act shall control.

17 Sec. 2. Original section 89-186, Reissue Revised
18 Statutes of Nebraska, is repealed.

19 Sec. 3. The following section is outright repealed:
20 Section 66-1214, Reissue Revised Statutes of Nebraska.