

**ONE HUNDREDTH LEGISLATURE - SECOND SESSION -  
2008**

**COMMITTEE STATEMENT**

**LB862**

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**Hearing Date:** February 05, 2008

**Committee On:** Agriculture

**Introducer(s):** (Agriculture Committee)

**Title:** Change noxious weeds funding provisions

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**Roll Call Vote - Final Committee Action:**

Placed on General File with Amendments

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**Vote Results:**

|                       |  |
|-----------------------|--|
| 7 Yes                 | Senators Dierks, Dubas, Erdman, Karpisek,<br>McDonald, Preister, Wallman |
| 0 No                  |  |
| 1 Absent              | Senators Chambers  |
| 0 Present, not voting |  |

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**Proponents:**

Rick Leonard  
John Thorburn  
Russell Schultz  
Charles Brooks

**Opponents:**

Pat Ptacek  
Ed Woeppel

**Neutral:**

Greg Ibach

**Representing:**

Introducer – Agriculture Committee  
Nebraska Association of Resources Districts

Nebraska Weed Control Association

**Representing:**

Nebraska Cooperative Council

**Representing:**

Department of Agriculture

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## Summary of purpose and/or change:

LB 862 would enact a series of reallocations of fee and other cash revenues with the goal of fully cash funding the state noxious weed program and replenishing funds available for a grant program within that program. Specifically, LB 862 makes the following reallocations:

- Amends §54-857 of the Commercial Feed Act under section 3 of the bill to provide that the revenue from 2 cents of the current 10 cents / ton inspection fee imposed by §54-856 be remitted to the Noxious Weed Cash Fund. A harmonizing amendment to §2-958 enumerating revenues received by the Noxious Weed Cash Fund is made by section 1 of the bill.
- Text directing a one-time transfer of \$200,000 from the Commercial Feed Act Administrative Fund to the Noxious Weed and Invasive Plant Species Assistance Fund on or before Oct. 1, 2008 is inserted into §54-857 of the Commercial Feed Act by section 3 of the bill. Harmonizing revisions to §9-958.01 is made under section 2 of the bill.
- §81-201.05 is amended by section 4 of the bill to provide that scheduled annual transfers of \$25,000 from the Weed Book Cash Fund be extended 2 additional years provided sufficient funds are available, and that these transfers and 25% of the sales price of a weed publication which are currently deposited in the Noxious Weed Cash Fund be deposited instead into the Noxious Weed and Invasive Plant Species Assistance Fund. Harmonizing revisions to §2-958.01 corresponding to the revisions to this section are made under section 2 of the bill

## Explanation of amendments, if any:

The Committee amendment (AM1859) strikes the original provisions and becomes the bill. As amended, LB 862 would make the following changes.

- Amends §54-857 to provide for a one-time transfer of \$250,000 from the Commercial Feed Act Administrative Cash Fund to the Noxious Weed and Invasive Plant Species Assistance Fund. This transfer is made in section 3 of the amendment. A harmonizing revision to §2-958.01 is made in section 1.
- Inserts new section 2 amending §54-856 to reduce the commercial feed inspection fee to 9¢ / ton beginning with fees paid after July 1, 2008. The Committee amendment adds the emergency clause to allow the new rate to be effective before fees scheduled for collection in July of this year take place.
- Carries over provisions of the introduced bill extending for 2 years the annual transfers from the Weed Book Cash Fund but retains current law that these funds and 25% of weed book sales price are deposited in the Noxious Weed Cash Fund.

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Senator Philip Erdman, Chairperson