

AMENDMENTS TO LB 68

Introduced by Agriculture

1           1. Strike original section 21 and insert the following  
2 new section:

3           Sec. 21. Section 2-10,111, Reissue Revised Statutes of  
4 Nebraska, is amended to read:

5           2-10,111     All costs associated with a  
6 ~~withdrawal-from-distribution order or the quarantine, treatment,~~  
7 ~~or destruction of plants shall be incurred by the owner of such~~  
8 ~~plants. The department shall not be liable for any actual or~~  
9 ~~incidental costs incurred by any person due to such departmental~~  
10 ~~actions. The department shall be reimbursed by the owner of such~~  
11 ~~plants for the actual expenses incurred by it in carrying out a~~  
12 ~~withdrawal-from-distribution order or the quarantine, treatment,~~  
13 ~~or destruction of any plants.~~

14           (1) All costs associated with treating, seizing,  
15 or destroying any plant or issuing and enforcing any  
16 withdrawal-from-distribution order for any plant, which plant is in  
17 violation of the Plant Protection and Plant Pest Act or the rules  
18 and regulations adopted and promulgated pursuant to the act, shall  
19 be the responsibility of the person in possession of the plant. The  
20 department shall be reimbursed by the person in possession of the  
21 plant for the actual cost incurred by the department in enforcing  
22 the act or such rules and regulations.

23           (2) All costs related to enforcement of the act and such

1 rules and regulations shall be the responsibility of the person  
2 violating the act. The department shall be reimbursed by persons  
3 violating the act or such rules and regulations for the actual cost  
4 incurred by the department in enforcing the act.

5 (3) The department shall not be liable for any costs  
6 incurred by any person due to any departmental actions relating to  
7 the enforcement of the act or such rules and regulations.

8 2. On page 15, line 14, strike "9"; and in line 15 strike  
9 "of this act" and insert "2-1091".

10 3. On page 31, line 15, before "and" insert "2-10,111,".