

AMENDMENTS TO LB92

Introduced by Johnson, 23.

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

3 Section 1. Section 2-4323, Reissue Revised Statutes of Nebraska, is
4 amended to read:

5 2-4323 (1) Every retailer licensee shall file, not later than the
6 last day of January and July of each year, a semiannual tonnage report on
7 forms provided by the department, setting forth the number of net tons of
8 each agricultural liming material sold in Nebraska during the preceding
9 six-month period, which report shall cover the periods from July 1 to
10 December 31 and January 1 to June 30, and such other information as the
11 director shall deem necessary. All persons required to be licensed
12 pursuant to the Agricultural Liming Materials Act shall file such report
13 regardless of whether any inspection fee is due. Upon filing the report,
14 such person shall pay the inspection fee at the rate prescribed pursuant
15 to this section ~~Within thirty days following the expiration of each~~
16 ~~license, each retailer licensee shall submit on a form furnished and~~
17 ~~approved by the department an annual statement setting forth, by county~~
18 ~~name, the number of net tons of each agricultural liming material sold by~~
19 ~~him or her for use in this state during the previous twelve-month period.~~
20 ~~The~~ Such statement shall be accompanied by payment of an inspection fee
21 shall be at the rate fixed by the director but not exceeding ten cents
22 per ton. The fee shall be set at an amount to cover the expenses of the
23 inspection provided in section 2-4325 and the costs of administering this
24 section. The minimum inspection fee required pursuant to this section
25 shall be five dollars, and no inspection fee shall be paid more than once
26 for any one product. In ~~The fee shall be paid by the retailer licensee~~
27 ~~and in the case of agricultural lime slurry, the fee shall be paid on the~~

1 base lime material only.

2 (2) If a person fails to report and pay the fee required by
3 subsection (1) of this section by January 31 and July 31, the fee shall
4 be considered delinquent and the person owing the fee shall pay an
5 additional administrative fee of twenty-five percent of the delinquent
6 amount for each month it remains unpaid, not to exceed one hundred
7 percent of the original amount due. The department may waive the
8 additional administrative fee based upon the existence and extent of any
9 mitigating circumstances that have resulted in the late payment of such
10 fee. The purpose of the additional administrative fee is to cover the
11 administrative costs associated with collecting fees, and all money
12 collected as an additional administrative fee shall be remitted to the
13 State Treasurer for credit to the Fertilizers and Soil Conditioners
14 Administrative Fund. Failure to make an accurate statement of tonnage or
15 to pay the inspection fee or comply as provided in this subsection shall
16 constitute sufficient cause for the cancellation of all product
17 registrations or licenses on file for such person.

18 (3 2) The director department shall annually make information
19 available in such form as he or she may deem proper concerning publish
20 and make available, to each agricultural liming material registrant or
21 licensee and to any other interested person upon his or her request, a
22 composite report showing the tons of agricultural liming material sold in
23 each county in this state. Such report shall in no way divulge the
24 operation of any registrant or licensee.