

LEGISLATIVE BILL 390

Approved by the Governor May 11, 1977

Introduced by Agriculture and Environment Committee,
Schmit, 23, Chmn.; Burrows, 30; R. Maresh,
32; Kahle, 37; DeCamp, 40

AN ACT to amend section 2-2311, Reissue Revised Statutes of Nebraska, 1943, relating to wheat development; to change the excise tax provisions as prescribed; to provide for reports; and to repeal the original section.

Be it enacted by the people of the State of Nebraska,

Section 1. That section 2-2311, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

2-2311. (1) There is hereby levied an excise tax of two-and-one-half not to exceed five mills per bushel upon all wheat grown in the State of Nebraska, and sold through commercial channels, beginning July 1, 1955, or September 18, 1955. The tax is levied and imposed on the grower at the time of sale or delivery, and shall be collected by the first purchaser. Under the provisions of sections 2-2301 to 2-2319, no wheat shall be subject to the tax more than once.

(2) The department shall, upon the recommendations of the committee, have the power to reduce the excise tax for such period as it shall deem justified, but not less than one year, whenever it shall determine that the excise tax provided by this section is yielding more than is required to carry out the intent and purposes of sections 2-2301 to 2-2319. If the department, after reducing such excise tax, finds that sufficient revenue is not being produced by such excise tax, it may restore in full or in part such excise tax not to exceed five mills per bushel.

Sec. 2. The Nebraska Wheat Development, Utilization, and Marketing Committee shall, on or before January 31, 1978, file with the Legislature a detailed report of its receipts, disbursements, transactions, and activities during the preceding fiscal year.

Sec. 3. That original section 2-2311, Reissue Revised Statutes of Nebraska, 1943, is repealed.