

LEGISLATURE OF NEBRASKA

ONE HUNDRED SECOND LEGISLATURE

SECOND SESSION

LEGISLATIVE BILL 1057

Final Reading

Introduced by Carlson, 38.

Read first time January 18, 2012

Committee: Agriculture

A BILL

1 FOR AN ACT relating to agriculture; to amend sections 2-3602, 2-3623,
2 2-3632, and 2-3633, Reissue Revised Statutes of Nebraska;
3 to restate intent; to change a fee, reporting
4 requirements, and the source and use of a fund under the
5 Nebraska Corn Resources Act; to provide operative dates;
6 and to repeal the original sections.
7 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 2-3602, Reissue Revised Statutes of
2 Nebraska, is amended to read:

3 2-3602 It is declared to be the public policy of the
4 State of Nebraska to protect and foster the health, prosperity, and
5 general welfare of its people by protecting and stabilizing the corn
6 industry and the economy of the areas producing corn. The Corn
7 Development, Utilization, and Marketing Board shall be the agency of
8 the State of Nebraska for such purpose. In connection with and in
9 furtherance of such purpose, it is declared to be in the interest of
10 the public welfare of the state that the producers of corn be
11 permitted and encouraged to develop, carry out, and participate in
12 programs of research, education, market development, and promotion.
13 It is the purpose of ~~sections 2-3601 to 2-3635~~ the Nebraska Corn
14 Resources Act to provide the authorization and to prescribe the
15 necessary procedures whereby corn producers in this state may finance
16 programs to achieve the activities expressed in ~~sections 2-3601 to~~
17 ~~2-3635.~~ the act.

18 Sec. 2. Section 2-3623, Reissue Revised Statutes of
19 Nebraska, is amended to read:

20 2-3623 There is hereby levied a fee of ~~not to exceed~~
21 ~~four tenths~~ five tenths of a cent per bushel upon all corn sold
22 through commercial channels in Nebraska or delivered in Nebraska. The
23 fee shall be paid by the grower at the time of sale or delivery and
24 shall be collected by the first purchaser. Under the Nebraska Corn
25 Resources Act, no corn shall be subject to the fee more than once.

1 Sec. 3. Section 2-3632, Reissue Revised Statutes of
2 Nebraska, is amended to read:

3 2-3632 The board shall ~~make and publish~~ prepare and make
4 available an annual report on or before January 1 of each year, which
5 report shall set forth in detail the income received from the corn
6 assessment for the previous year and shall include:

7 (1) The expenditure of all funds by the board during the
8 previous year for the administration of ~~sections 2-3601 to 2-3635;~~
9 the Nebraska Corn Resources Act;

10 (2) The action taken by the board on all contracts
11 requiring the expenditure of funds by the board;

12 (3) ~~Copies~~ A description of all such contracts;

13 (4) ~~Detailed~~ A detailed explanation of all programs
14 relating to the discovery, promotion, and development of markets and
15 industries for the utilization of corn, the direct expense associated
16 with each program, and copies of such programs if in writing; and

17 (5) The name and address of each member of the board and
18 a copy of all rules and regulations promulgated by the board.

19 Such report and a copy of all contracts requiring
20 expenditure of funds by the board shall be available to the public
21 upon request.

22 Sec. 4. Section 2-3633, Reissue Revised Statutes of
23 Nebraska, is amended to read:

24 2-3633 ~~The State Treasurer is hereby directed to~~
25 ~~establish and set up in the treasury of the State of Nebraska a fund~~

1 ~~to be known as the~~ The Nebraska Corn Development, Utilization, and
2 Marketing Fund, ~~to which fund is created. All fees collected pursuant~~
3 ~~to the Nebraska Corn Resources Act and any repayments relating to the~~
4 ~~fund, including license fees or royalties, shall be credited, to the~~
5 ~~fund~~ for the uses and purposes of the ~~Nebraska Corn Resources Act~~ act
6 and its enforcement. ~~, all taxes collected by the board pursuant to~~
7 ~~the act.~~ Such fund shall be expended solely for the administration of
8 the act. Any money in the fund available for investment shall be
9 invested by the state investment officer pursuant to the Nebraska
10 Capital Expansion Act and the Nebraska State Funds Investment Act.

11 Sec. 5. Sections 2 and 6 of this act become operative on
12 October 1, 2012. The other sections of this act become operative on
13 their effective date.

14 Sec. 6. Original section 2-3623, Reissue Revised Statutes
15 of Nebraska, is repealed.

16 Sec. 7. Original sections 2-3602, 2-3632, and 2-3633,
17 Reissue Revised Statutes of Nebraska, are repealed.