

LEGISLATIVE BILL 1057

Approved by the Governor April 10, 2012

Introduced by Carlson, 38.

FOR AN ACT relating to agriculture; to amend sections 2-3602, 2-3623, 2-3632, and 2-3633, Reissue Revised Statutes of Nebraska; to restate intent; to change a fee, reporting requirements, and the source and use of a fund under the Nebraska Corn Resources Act; to provide operative dates; and to repeal the original sections.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

2-3633 ~~The State Treasurer is hereby directed to establish and set up in the treasury of the State of Nebraska a fund to be known as the The Nebraska Corn Development, Utilization, and Marketing Fund, to which fund is created. All fees collected pursuant to the Nebraska Corn Resources Act and any repayments relating to the fund, including license fees or royalties, shall be credited, to the fund for the uses and purposes of the Nebraska Corn Resources Act act and its enforcement., all taxes collected by the board pursuant to the act.~~ Such fund shall be expended solely for the administration of the act. Any money in the fund available for investment shall be invested by the state investment officer pursuant to the Nebraska Capital Expansion Act and the Nebraska State Funds Investment Act.

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

Sec. 6. Original section 2-3623, Reissue Revised Statutes of

Nebraska, is repealed.

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