

(II) A REPORT MUST BE FILED AT LEAST EVERY 6 MONTHS.

(2) THE GRAIN BUYER SHALL REMIT THE AMOUNT OF THE ASSESSMENT WHEN THE REPORT IS FILED.

(B) IF A GRAIN BUYER FAILS TO MAKE THE REPORT AND REMITTANCE REQUIRED IN THIS SUBTITLE, THE DEPARTMENT SHALL DETERMINE THE AMOUNT OF THE ASSESSMENT ACCORDING TO ITS BEST JUDGMENT AND INFORMATION AND SHALL MAIL NOTICE OF THE ASSESSMENT TO THE GRAIN BUYER.

(C) (1) WITHIN 10 DAYS AFTER THE NOTICE GIVEN BY THE DEPARTMENT, THE GRAIN BUYER MAY EITHER:

(I) PAY THE ASSESSMENT, TOGETHER WITH A 5 PERCENT PENALTY ON THE AMOUNT OF THE ASSESSMENT; OR

(II) REQUEST A HEARING BEFORE THE DEPARTMENT TO DETERMINE THE AMOUNT OF THE ASSESSMENT AND PENALTY TO BE IMPOSED.

(2) IF THE GRAIN BUYER REQUESTS A HEARING, PAYMENT MAY NOT BE MADE UNTIL THE DEPARTMENT ENTERS ITS ORDER DETERMINING THE AMOUNT DUE.

(3) PAYMENT SHALL BE MADE WITHIN 10 DAYS AFTER THE DEPARTMENT'S DECISION.

(D) ANY PERSON WHO VIOLATES ANY PROVISION OF THIS SUBTITLE IS GUILTY OF A MISDEMEANOR AND, ON CONVICTION, IS SUBJECT TO A FINE NOT EXCEEDING TWICE THE AMOUNT OF THE ASSESSMENT OWED.

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THE DEPARTMENT SHALL SUBMIT ANNUALLY A REPORT TO THE HOUSE--COMMITTEE--ON--ENVIRONMENTAL-MATTERS GENERAL ASSEMBLY WHICH SETS FORTH THE AMOUNT OF MONEY RECEIVED INTO BOTH THE GRAIN INDEMNITY FUND AND THE INDEMNIFICATION ADMINISTRATION FUND AND WHICH EXPLAINS HOW THE MONEY IS SPENT.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 1981.

Approved May 19, 1981.

CHAPTER 768

(House Bill 1209)

AN ACT concerning