

ONE HUNDRED FOURTH LEGISLATURE - FIRST SESSION - 2015
COMMITTEE STATEMENT
LB618

Hearing Date: Tuesday March 03, 2015
Committee On: Agriculture
Introducer: Larson
One Liner: Provide for redesignation of districts and changing at-large membership for certain commodities boards and commissions

Roll Call Vote - Final Committee Action:
Advanced to General File with amendment(s)

Vote Results:
Aye: 7 Senators Bloomfield, Harr, Johnson, Kolterman, Larson, Riepe, Schilz
Nay:
Absent:
Present Not Voting: 1 Senator Chambers

Verbal Testimony:

Proponents: Senator Tyson Larson
Representing: Introducer

Opponents:
Representing:

Neutral:
Representing:

Summary of purpose and/or changes:

The primary substantive provisions of LB618 are found in Sections 3, 12, and 17 of the bill. These sections insert a new section into each of the following: the Nebraska Wheat Resources Act, the Nebraska Corn Resources Act, and the Dry Bean Resources Act. These acts delegate authority to the governing boards of each promotion program to redesignate membership districts and at-large membership as necessary to maintain equitable representation of growers on the commodity boards. Current membership on the governing boards of these commodities programs, as well as for grain sorghum, are currently statutorily prescribed to provide for the majority of board membership to be selected from grower districts where each district is intended to encompass roughly equal production of the commodity, and a minority of at-large members be selected to represent growers statewide.

Each of sections 3, 12, and 17 similarly define triggering conditions for exercise of the authority, namely a determination that current statutorily defined membership is incompatible with equitable representation due to changing geographic distribution of the underlying crop, changing marketing patterns or lack of availability of qualified individuals to serve. Under such circumstances, the Boards would be authorized through rules and regulations to change district configurations and at large membership as appropriate to restore equitable representation.

The remainder of statutory sections amended by the bill include only harmonizing revisions or non-substantive revisor's amendments.

Explanation of amendments:

The committee amendment (AM792) replaces original sections 3, 12, and 17 with an alternative process for periodically

reviewing the composition of commodity development program governing boards and for the boards to propose and implement revisions. The amendment inserts additional statutory guidance under which governing boards may exercise this authority and retains a mechanism for legislative oversight. Section 19 is added to incorporate similar provisions into the Grain Sorghum Resources Act.

First, the committee amendment assigns a duty to each of the three governing boards that on or before December 1, 2015, August 1, 2020 and on or before August 1 each fifth year thereafter, the boards shall provide a report of crop acreage and production by membership district, a description of marketing patterns, and any assessment of marketing and production trends. The Boards would provide the Director of Agriculture and Chair of the Agriculture Committee of the Legislature with notice of the availability of this report.

Secondly, the amendment specifies that compositional revisions may include revision of demarcation of membership districts, increasing or decreasing the number of board members selected by grower districts, increasing or decreasing at-large members, or a combination of these. The committee amendment inserts additional guidance that existing members may be reassigned to a redesignated district or at-large membership as necessary but that no plan to revise composition may eliminate a member prior to expiration of his or her term.

Finally, the amendment provides that when any plan for compositional revision is developed by a governing board, the board shall provide a description to the Director of Agriculture and Chair of the Agriculture Committee on or before November 1 of the year preceding the year the revisions would be implemented. Such plan would not take effect until ninety days after the completion of the following legislative session.

Jerry Johnson, Chairperson