

LEGISLATURE OF NEBRASKA

ONE HUNDRED SECOND LEGISLATURE

SECOND SESSION

LEGISLATIVE BILL 1057

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 change and eliminate provisions of the Nebraska Corn
4 Resources Act; to provide an operative date; to repeal
5 the original sections; and to outright repeal section
6 2-3627, Reissue Revised Statutes of Nebraska.

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 Nebraska
7 Corn Development, Utilization, and Marketing Board shall be the
8 agency of the State of Nebraska for such purpose. In connection with
9 and in furtherance of such purpose, it is declared to be in the
10 interest of the public welfare of the state that the producers of
11 corn be permitted and encouraged to develop, carry out, and
12 participate in programs of research, education, market development,
13 and promotion. It is the purpose of ~~sections 2-3601 to 2-3635~~ the
14 Nebraska Corn Resources Act to provide the authorization and to
15 prescribe the necessary procedures whereby corn producers in this
16 state may finance programs to achieve the activities expressed in
17 ~~sections 2-3601 to 2-3635.~~ the act.

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

20 2-3623 (1) 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 (2) The fee imposed by this section may be increased or
2 decreased by the board upon the affirmative votes of seven or more of
3 members of the board. The fee may be increased or decreased in
4 increments of one-tenth of a cent per bushel but shall not exceed one
5 cent per bushel.

6 (3) Before a motion to increase the fee imposed by this
7 section is voted upon, the board shall hold a public meeting in each
8 of the eight board membership districts described in section 2-3615.
9 The board shall give proper notice of the time and place of such
10 meetings by publication in a newspaper of general circulation in each
11 district and by other reasonable means as determined by the board. In
12 conjunction with such meetings, the board shall make available by
13 print media and other formats information explaining the purposes for
14 the proposed increase which shall include a projection of revenue and
15 a description of investments and programs, by category and function,
16 to be initiated or expanded with any projected increase of fee
17 revenue.

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

20 2-3632 The board shall ~~make and publish~~ prepare and make
21 available an annual report on or before January 1 of each year, which
22 report shall set forth in detail the income received from the corn
23 assessment for the previous year and shall include:

24 (1) The expenditure of all funds by the board during the
25 previous year for the administration of ~~sections 2-3601 to 2-3635;~~

1 the Nebraska Corn Resources Act;

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

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

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

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

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

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

16 2-3633 ~~The State Treasurer is hereby directed to~~
17 ~~establish and set up in the treasury of the State of Nebraska a fund~~
18 ~~to be known as the~~ The Nebraska Corn Development, Utilization, and
19 Marketing Fund, to which fund is created. All fees collected pursuant
20 to the Nebraska Corn Resources Act, any funds acquired for purposes
21 of the act as gifts, grants, bequests, or other contributions from
22 public or private entities, and any repayments relating to the fund
23 including license fees or royalties shall be credited, to the fund
24 for the uses and purposes of the Nebraska Corn Resources Act act and
25 its enforcement., ~~all taxes collected by the board pursuant to the~~

1 ~~act.~~—Such fund shall be expended solely for the administration of the
2 act. Any money in the fund available for investment shall be invested
3 by the state investment officer pursuant to the Nebraska Capital
4 Expansion Act and the Nebraska State Funds Investment Act.

5 Sec. 5. This act becomes operative on January 1, 2013.

6 Sec. 6. Original sections 2-3602, 2-3623, 2-3632, and
7 2-3633, Reissue Revised Statutes of Nebraska, are repealed.

8 Sec. 7. The following section is outright repealed:
9 Section 2-3627, Reissue Revised Statutes of Nebraska.