

ONE HUNDRED FOURTH LEGISLATURE - FIRST SESSION - 2015
COMMITTEE STATEMENT
LB242

Hearing Date: Tuesday February 03, 2015
Committee On: Agriculture
Introducer: Stinner
One Liner: Change provisions of the Dry Bean Resources Act

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

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

Verbal Testimony:

Proponents:	Representing:
Senator John Stinner	Introducer
Dean Keener	Nebraska Dry Bean Growers Association
David Howell	Self
Kenneth Rhoades	Self
Cindi Allen	Self
Jay Rempe	Nebraska Farm Bureau
Senator Dan Hughes	Self

Opponents: **Representing:**

Neutral: **Representing:**

Summary of purpose and/or changes:

LB242 would make a series of revisions to the Nebraska Dry Bean Resources Act (2-3735 to 2-3765) to change the rate of promotional assessment and remove the refunding of assessments, along with other statutory updates. These changes specifically are as follows:

Amends Sec. 2-3755 which currently provides for a fee, as established by the Dry Bean Commission not to exceed 10 cents per century weight (cwt), is to be remitted by first purchasers of dry beans from growers, with 2/3 of the fee deducted from grower payments and 1/3 paid by the first purchaser. LB242 would sunset the existing fee on July 31, 2015 and impose a statutory prescribed fee of 15 cents per century weight (cwt) beginning August 1, 2015. Beginning January 1, 2017, the Commission would have authority to adjust the fee within a statutory maximum of 24 cents per century weight (cwt)

Outright repeals Sec. 2-3760. Repeal of this section would remove provisions authorizing and providing procedure for a grower to request refund of the promotional assessment collected at the time of sale.

Amends Sec. 2-3762 regarding the publication of the annual report and its contents. Currently, the statute requires the Commission to make and publish an annual report. The change would require that they prepare and make available an

annual report. Current law also requires the annual report to contain a copy of each contract entered into. The revision would only require that the annual report contain a description of all contracts but make explicit that complete copies of any contract is available to the public upon demand. The bill adds the Director of Agriculture and the Clerk of the Legislature as recipients of notification of availability of the annual report.

Amends Sec. 2-3763 which establishes the Dry Bean Development cash fund and specifies receipts credited to the fund. LB242 inserts additional categories of repayments to the fund, including license fees and royalties, which are credited to the fund.

Explanation of amendments:

The committee amendment (AM357) inserts a new section that amends Sec. 2-3753. This section currently enumerates powers and duties of the Dry Bean Commission, including that the Commission may prohibit dry bean assessments being used to support candidates for public office or to influence state legislation. Current law provides that expenditures to influence federal legislation may not exceed 25 percent of the Commission's annual budget. The committee amendment would limit such expenditure to 15 percent of the annual budget and that any expenditure is confined to support of activities germane to the purpose and mission of the Commission.

The amendment also strikes section 5, thus omitting the outright repeal of Sec. 2-3760 and thereby retaining in statute the provisions for refundable assessments.

Jerry Johnson, Chairperson