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FLOOR DEBATE

March 14, 2002 LB 912

application of other farm programs. Accordingly, the Legislature acted...enacted LB 200 in 1997 to extend the authority of the Nebraska Farm Mediation Program to provide mediation in these cases. Mediation is a voluntary process where the names...where the parties meet informally with a neutral third party trained in dispute resolution. It is voluntary in that neither party is obligated to submit to mediation, and only mutually agreed results are binding. By participating in mediation, the party does not forfeit administrative due process available under federal farm programs to appeal adverse agency decisions, or forfeit the right to appeal to the courts. Mediation does, however, provide an alternative which is less confrontational, and sometimes more conducive to negotiation than a litigation setting or formal administrative hearing. Under the mediation program, the Department of Agriculture contracts with individuals and organizations to provide mediation services, and establishes standards of mediator qualifications. The department also contracts for and provides referral service to legal and financial assistance to help borrowers and USDA program participants prepare for mediation. Costs of the program are reimbursed up to 70 percent by USDA. The state match is provided, in part, through fees assessed to the mediating parties, and some General Funds. As introduced, LB 912 would make the following changes. First, the bill would extend authority to the department to offer mediation in USDA farm program disputes, and, currently, mediation is provided only after an adverse decision has been reached. This would allow mediation intervention at earlier stages to help resolve farm program eligibility and application of farm program rules. Secondly, the bill extends the sunset date of the program from the current sunset date of June 30, 2003, to June 30, 2009. The committee amendments will strike the first part of the bill and leave only the extension of the sunset date. I will discuss that purpose in opening on the committee amendments. The bill was heard before the Ag Committee on January 22nd; advanced without dissenting vote. I move the advancement of LB 912. Thank you.

SPEAKER KRISTENSEN: Senator Dierks, you're recognized to open on the committee amendments.