

AMENDMENTS TO LB 516

Introduced by Agriculture

1           1. Strike the original sections and insert the following  
2 sections:

3           Section 1. The Legislature finds that the ruling of the  
4 United States District Court for the District of Nebraska in Jones  
5 v. Gale, 405 F. Supp. 2d 1066, D. Neb. 2005, and subsequent rulings  
6 on appeal affirming such ruling holding Article XII, section 8, of  
7 the Constitution of Nebraska to be invalid, enjoined, or limited in  
8 application has significant implications for the future structure,  
9 development, and progress of agricultural production in Nebraska.

10           Sec. 2. (1)(a) It is the intent of the Legislature to  
11 support and facilitate a study by the Agriculture Committee of  
12 the Legislature to identify policy instruments available to the  
13 Legislature and the people of Nebraska, including as appropriate,  
14 but not necessarily requiring or limited to, modification of  
15 Article XII, section 8, of the Constitution of Nebraska, in order  
16 to foster and enhance legal, social, and economic conditions in  
17 Nebraska consistent with and which advance those state interests  
18 that exist in the structure, development, and progress of  
19 agricultural production.

20           (b) Within the limits of funds appropriated for such  
21 purpose, the Executive Board of the Legislative Council may, in  
22 coordination and cooperation with the Agriculture Committee of  
23 the Legislature, commission experts in the fields of agricultural

1 economics, agricultural law, commerce clause jurisprudence, and  
2 other areas of study and practice to provide assistance, specific  
3 research or reports, or presentations in order to assist the  
4 Agriculture Committee of the Legislature in carrying out the intent  
5 of the Legislature under this section.

6           Sec. 3. (1) It is the intent of the Legislature, that  
7 the Attorney General perform, acquire, and otherwise cause to be  
8 made available such research as may be appropriate to inform and  
9 assist the Agriculture Committee of the Legislature in identifying  
10 policy instruments available to the Legislature and the people of  
11 Nebraska, including as appropriate, but not necessarily requiring  
12 or limited to, modification of Article XII, section 8, of the  
13 Constitution of Nebraska, in order to foster and enhance legal,  
14 social, and economic conditions in Nebraska consistent with and  
15 which advance those state interests that exist in the structure,  
16 development, and progress of agricultural production in Nebraska.

17           (2) The Attorney General may contract with experts in the  
18 fields of agricultural economics, agricultural law, commerce clause  
19 jurisprudence, and other areas of study and practice to assist  
20 the Attorney General in carrying out the intent of the Legislature  
21 under this section.

22           Sec. 4. Since an emergency exists, this act takes effect  
23 when passed and approved according to law.