

AMENDMENTS TO LB844

Introduced by Ibach, 44.

1 1. Strike the original sections and all amendments thereto and
2 insert the following new sections:

3 Section 1. Section 48-1701, Reissue Revised Statutes of Nebraska, is
4 amended to read:

5 48-1701 Sections 48-1701 to 48-1714 and section 3 of this act shall
6 be known and may be cited as the Farm Labor Contractors Act.

7 Sec. 2. Section 48-1702, Reissue Revised Statutes of Nebraska, is
8 amended to read:

9 48-1702 For purposes of the Farm Labor Contractors Act, unless the
10 context otherwise requires:

11 (1) Certified exempt contractor means a farm labor contractor that
12 holds a valid certificate of exemption described in subdivision (7) of
13 section 48-1703;

14 (2) (1) Department means the Department of Labor;

15 (3) Detasseling means the act of removing a tassel, which bears the
16 staminate flower of corn, by hand labor to prevent the self-pollination
17 of such corn;

18 (4) (2) Farm labor contractor means any individual, partnership,
19 limited liability company, corporation, or cooperative association, other
20 than an agricultural employer, an agricultural association, or an
21 employee of an agricultural employer or agricultural association, who for
22 any money or other valuable consideration paid or promised to be paid
23 performs any farm labor contracting activity;

24 (5) (3) Farm labor contracting activity means recruiting,
25 soliciting, hiring, employing, furnishing, or transporting any migrant or
26 seasonal agricultural worker;

27 (6) (4) Non-English-speaking worker has the same meaning as non-

1 English-speaking employee in section 48-2208; ~~and~~

2 (7) Nonexempt contractor means a farm labor contractor that does not
3 hold a valid certificate of exemption described in subdivision (7) of
4 section 48-1703;

5 (8) Roguing means the act of removing unwanted, off-type, inferior,
6 or defective plants from an agricultural field by hand labor; and

7 (9) ~~(5)~~ Worker means a person who is employed or recruited by or who
8 subcontracts with a farm labor contractor.

9 Sec. 3. (1) Beginning January 1, 2025, any seed corn producer in
10 this state that intends to utilize one or more farm labor contractors for
11 the roguing or detasseling of seed corn shall:

12 (a) Complete and submit a form to the Director of Agriculture that
13 the seed corn producer intends to utilize one or more farm labor
14 contractors for detasseling or roguing of seed corn during the current or
15 upcoming growing season; and

16 (b) Complete and submit a signed and notarized form prescribed by
17 the Department of Agriculture, under penalty of perjury, to the Director
18 of Agriculture on or after August 1 but not later than September 1 of
19 each year. Such form shall contain the following information for the crop
20 year for which such form is filed:

21 (i) The total number of acres of seed corn the producer planted in
22 this state;

23 (ii) The name of each certified exempt contractor, if any, with whom
24 the producer contracted for labor for the roguing of seed corn and the
25 total number of acres rogued by each such operation;

26 (iii) The name of each nonexempt contractor, if any, with whom the
27 producer contracted for labor for the roguing of seed corn and the total
28 number of acres rogued by each such operation;

29 (iv) The name of each certified exempt contractor, if any, with whom
30 the producer contracted for labor for the detasseling of seed corn and
31 the total number of acres detasseled by each such operation; and

1 (v) The name of each nonexempt contractor, if any, with whom the
2 producer contracted for labor for the detasseling of seed corn and the
3 total number of acres detasseled by each such operation.

4 (2) The Director of Agriculture shall publish a report on the
5 Department of Agriculture's website not later than September 30, 2025,
6 and by each September 30 thereafter. Such report shall aggregate the
7 following information provided by seed corn producers pursuant to
8 subdivision (1)(b) of this section for each crop year:

9 (a) The total number of acres of seed corn planted in this state;

10 (b) The total number of acres of seed corn detasseled by certified
11 exempt contractors;

12 (c) The total number of acres of seed corn rogued by certified
13 exempt contractors;

14 (d) The total number of acres of seed corn detasseled by nonexempt
15 contractors;

16 (e) The total number of acres of seed corn rogued by nonexempt
17 contractors; and

18 (f) The total number of acres of seed corn for which seed corn
19 producers did not utilize detasseling or roguing services by any farm
20 labor contractor.

21 (3)(a) By January 1, 2025, the Director of Agriculture shall publish
22 a directory on the Department of Agriculture's website, updated by
23 December 31 of each year, that contains:

24 (i) The name of each certified exempt contractor that provides
25 detasseling or roguing services for seed corn;

26 (ii) The address of the headquarters for each such certified exempt
27 contractor; and

28 (iii) Contact information for each such certified exempt contractor,
29 including a telephone number if available.

30 (b) Beginning in 2025, the Director of Agriculture shall send, by
31 registered mail, a copy of the most recently updated directory described

1 in this subsection to the following:

2 (i) Within ten days after receiving a form described in subdivision
3 (1)(a) of this section, to the seed corn producer that submitted such
4 form; and

5 (ii) By January 15 of each year, to each seed corn producer that
6 submitted the form described in subdivision (1)(b) of this section during
7 the previous year.

8 (4) The Director of Agriculture shall prescribe the method by which
9 any such seed corn producer may submit a form under subdivision (1)(a) of
10 this section and receive a copy of the most recently updated directory
11 described in subsection (3) of this section.

12 (5) Any form submitted by any seed corn producer under this section
13 shall not be a public record subject to disclosure pursuant to sections
14 84-712 to 84-712.09.

15 (6) The Department of Agriculture may adopt and promulgate rules and
16 regulations to carry out this section.

17 Sec. 4. Section 48-1714, Reissue Revised Statutes of Nebraska, is
18 amended to read:

19 48-1714 (1) Any person ~~who violates~~ ~~violating~~ section 48-1711 or
20 48-1712 shall be guilty of a Class II misdemeanor.

21 (2) Any person who (a) intentionally defaces, alters, or changes a
22 farm labor contractor license, (b) uses the license of another, (c)
23 knowingly permits the use of another person's license, or (d) acts as a
24 farm labor contractor without a license shall be guilty of a Class II
25 misdemeanor.

26 (3) Any seed corn producer who violates section 3 of this act shall
27 be guilty of a Class IV misdemeanor.

28 Sec. 5. Original sections 48-1701, 48-1702, and 48-1714, Reissue
29 Revised Statutes of Nebraska, are repealed.