

April 13, 1981

LB 11

Development, Utilization and Marketing Board, provides for the appointment of six members of that board by the Governor, then it provides for one additional member to be appointed by the board. The candidates for the appointment by the Governor place their names on the candidacy list for their respective districts by filing a petition signed by at least fifty resident growers of that district. It is the same as in the present provisions in LB 11 as drafted by Senator Maresh. It provides that the board may appoint and fix the salary of the Executive Directors. It provides his or her duties as they are listed in Section 11. It provides the duties and responsibilities of the board as found in Section 12, subsection (14), but Section 12 prohibits funds collected from being expended to promote or oppose any candidate or to influence legislation. There was some comment and some concern relative to whether or not the members of that checkoff board could involve themselves in any kind of litigation or legislation. For example, when the embargo was announced last year, the members of the board were undecided as to whether or not they could even testify before a Congressional committee in support of or in opposition to the embargo. This clarifies that responsibility. They may do such...take on such actions as are their responsibilities that way but they cannot use funds to influence legislation. Under item #4, it provides that a referendum shall be held after the first three years of the program to determine whether the grain sorghum checkoff program shall continue when ten percent of the growers in the state sign a petition to that effect. If fifty-one percent of those voting shall not approve the program, all future checkoffs would cease. That is the same as in LB 11. Subsection (5), the fee paid to the board shall not exceed one cent per hundred weight except that until December 31 of this year it will only collect one-half cent per hundred weight. Subsection (6), the Grain Sorghum Development, Utilization and Marketing fund is established. The establishment of the fund has not been provided for in the statute. Therefore, in order to put funds into a fund and get them out, it had to be established. Under subsection (7), the board may contract with the Department of Agriculture, the University of Nebraska Institute of Ag and Natural Resources and other state or local, national organizations to carry out its duties, basically the same as they do now under the corn act. Section 23 to 40, this act relates to the Nebraska Wheat Resources Act. Most of these sections amend existing law to make them compatible to the following changes. I will actually read them for you. Nebraska Wheat Development, Utilization and Marketing Board is established. In the past there has never been a board. It has been a division of the Department of Agriculture. There would no longer be