

ONE HUNDRED SECOND LEGISLATURE - FIRST SESSION - 2011
COMMITTEE STATEMENT
LB394

Hearing Date: Tuesday February 15, 2011
Committee On: Agriculture
Introducer: Schilz
One Liner: Change Dry Bean Commission membership provisions

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

Vote Results:

Aye: 8 Senators Bloomfield, Brasch, Carlson, Harr, Karpisek, Larson, Lathrop, Wallman
Nay:
Absent:
Present Not Voting:

Proponents: Senator Ken Shilz	Representing: Introducer
Opponents:	Representing:
Neutral:	Representing:

Summary of purpose and/or changes:

LB 394 changes provisions of the Nebraska Dry Bean Resources Act to revise procedures for nominating grower candidates for appointment to the Nebraska Dry Bean Commission. Section 2-3747 currently provides that eligible persons may place themselves as candidates for appointment to one of four grower districts or one-of two at-large districts, by submitting a petition to the Commission signed by twenty-five resident bean growers of the district for which they seek to represent.

The primary substantive provision is found in section 3 of the bill. This section revises Section 2-3747 to eliminate the petition procedures with one requiring that growers submit to the Commission a gubernatorial appointment application, two letters of endorsement signed by other growers, and documentation substantiating the grower's qualification to serve on the Board. The Commission would review candidate submissions for purposes of advising the governor on the candidate's qualification, and submit all applications to the Governor. The Board is authorized to public guidelines regarding forms of documentation to assist with substantiating eligibility for appointment.

Other harmonizing or statutory reorganization and cleanup implicated by the primary substantive change contained in section 3 is accomplished elsewhere in the bill as follows:

---Obsolete provisions of the act found in sections Section 2-3747 and Section 2-3748 pertaining to the initial organization of the Dry Bean Commission are eliminated by sections 3 and 4 of the bill.

---A provision defining at large membership currently contained in Section 2-3747 is reassigned to new subsection (2) inserted in to Section 2-3746 by section 2 to consolidate all provisions pertaining to the composition of the Commission in one statute. The revision to Section 2-3746 clarifies that existing at-large members upon the effective date shall

continue as members through the remainder of their current terms and until a successor is appointed and qualified. Such members will continue to be eligible for reappointment unless they would be otherwise disqualified by having exceeded the three consecutive term limitation of Section 2-3748.

---Specification that appointments shall be made on a non-partisan basis found in Section 2-3747 are reassigned to Section 2-3745 under section 1 of the bill.

---A minor substantive revision is made in Section 2-3748 of the bill by section 4 to insert clarification that commission terms are three years and until a successor is appointed and qualified.

The bill is introduced with the emergency clause.

Explanation of amendments:

The committee amendment eliminates the nomination procedure proposed in the original bill and reinserts a self-nomination by petition process but lowers the signature threshold to 10 growers. The reinsertion includes Revisor's clarifications regarding collection of signatures and conforms internal citations as necessary to provisions of the Act as reassigned by the bill.

Tom Carlson, Chairperson