

LEGISLATURE OF NEBRASKA

ONE HUNDRED THIRD LEGISLATURE

SECOND SESSION

LEGISLATIVE BILL 922

Introduced by Christensen, 44; Brasch, 16; Carlson, 38; Schilz, 47;
Watermeier, 1.

Read first time January 15, 2014

Committee: Revenue

A BILL

1 FOR AN ACT relating to revenue and taxation; to amend section
2 77-5209, Reissue Revised Statutes of Nebraska; to change
3 qualification provisions under the Beginning Farmer Tax
4 Credit Act; and to repeal the original section.
5 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 77-5209, Reissue Revised Statutes of
2 Nebraska, is amended to read:

3 77-5209 (1) The board shall determine who is qualified as
4 a beginning farmer or livestock producer based on the qualifications
5 found in this section. A qualified beginning farmer or livestock
6 producer shall be an individual who: (a) Has a net worth of not more
7 than ~~two~~five hundred thousand dollars, including any holdings by a
8 spouse or dependent, based on fair market value; (b) provides the
9 majority of the day-to-day physical labor and management of his or
10 her farming or livestock production operations; (c) has, by the
11 judgment of the board, adequate farming or livestock production
12 experience or demonstrates knowledge in the type of farming or
13 livestock production for which he or she seeks assistance from the
14 board; (d) demonstrates to the board a profit potential by submitting
15 board-approved projected earnings statements and agrees that farming
16 or livestock production is intended to become his or her principal
17 source of income; (e) demonstrates to the board a need for
18 assistance; (f) participates in a financial management program
19 approved by the board; (g) submits a nutrient management plan and a
20 soil conservation plan to the board on any applicable agricultural
21 assets purchased or rented from an owner of agricultural assets; and
22 (h) has such other qualifications as specified by the board. The
23 qualified beginning farmer or livestock producer net worth thresholds
24 in subdivision (a) of this subsection shall be adjusted annually
25 beginning October 1, ~~2009~~, 2015, and each October 1 thereafter, by

1 taking the average Producer Price Index for all commodities,
2 published by the United States Department of Labor, Bureau of Labor
3 Statistics, for the most recent twelve available periods divided by
4 the Producer Price Index for ~~2008~~2014 and multiplying the result by
5 the qualified beginning farmer's or livestock producer's net worth
6 threshold. If the resulting amount is not a multiple of twenty-five
7 thousand dollars, the amount shall be rounded to the next lowest
8 twenty-five thousand dollars.

9 (2) A qualified beginning farmer or livestock producer
10 who has participated in a board approved and certified three-year
11 rental agreement with an owner of agricultural assets shall not be
12 eligible to file a subsequent application with the board but may
13 refer to the board for additional support and participate in
14 programs, including educational and financial programs and seminars,
15 established or recommended by the board that are applicable to the
16 continued success of such farmer or livestock producer.

17 Sec. 2. Original section 77-5209, Reissue Revised
18 Statutes of Nebraska, is repealed.