

LEGISLATIVE BILL 1172

Approved by the Governor April 21, 2008

Introduced by Dierks, 40; Dubas, 34; McDonald, 41.

FOR AN ACT relating to agriculture; to adopt the Food Supply Animal Veterinary Incentive Program Act.

Be it enacted by the people of the State of Nebraska,

Section 1. Sections 1 to 8 of this act shall be known and may be cited as the Food Supply Animal Veterinary Incentive Program Act.

Sec. 2. For purposes of the Food Supply Animal Veterinary Incentive Program Act:

(1) Department means the Department of Agriculture;

(2) Food supply animal includes cattle, hogs, sheep, goats, and poultry;

(3) Food supply animal veterinarian means a veterinarian who is engaged in general or food supply animal practice as his or her primary focus of practice and who has a substantial portion of his or her practice devoted to food supply animal veterinary medicine;

(4) Program means the Food Supply Animal Veterinary Incentive Program; and

(5) Rural mixed animal veterinary practice means practice as a food supply animal veterinarian in a rural area and a substantial portion of the practice involves food supply animal veterinary practice.

Sec. 3. Each year the department shall select from a pool of applicants up to four veterinarians to participate in the program. The selected veterinarians are eligible to receive up to eighty thousand dollars under the program as an incentive to locate in rural Nebraska and practice food supply animal veterinary medicine.

Sec. 4. (1) To be eligible for funds under the program, an applicant shall:

(a) Be a graduate of an approved veterinary medical school;

(b) Be licensed to practice veterinary medicine in this state;

(c) Enter into a contract with the department to provide full-time veterinary medicine services as a food supply animal veterinarian in a food supply animal veterinary practice or in a rural mixed animal veterinary practice for four years in one or more communities approved by the department; and

(d) Be accredited by the United States Department of Agriculture, Animal and Plant Inspection Service, Veterinary Services to provide services relating to food supply animals by the end of the first year of service.

(2) The department shall give preference for approving communities for purposes of subdivision (1)(c) of this section to communities located in areas designated by the department as shortage areas for food supply animal veterinary medical services. In designating such areas, the department may initially utilize shortage areas as designated by the American Veterinary Medical Association on the effective date of this act and may revise designations as necessary and appropriate to achieve the purposes of the program.

Sec. 5. (1) To the extent that funds are available, program funds shall be distributed as follows:

(a) After completing the first year of service under the contract, the veterinarian is eligible to receive up to fifteen thousand dollars;

(b) After completing the second year of service under the contract, the veterinarian is eligible to receive up to fifteen thousand dollars;

(c) After completing the third year of service under the contract, the veterinarian is eligible to receive up to twenty-five thousand dollars; and

(d) After completing the fourth year of service under the contract, the veterinarian is eligible to receive up to twenty-five thousand dollars.

(2) If the veterinarian does not complete an entire year of service or if sufficient funds are not available to provide the full dollar amount of incentive in a year, the amount distributed under this section for that year shall be prorated.

Sec. 6. (1) A veterinarian shall be released from the program contract without penalty if:

(a) The veterinarian has completed the service requirements of the contract;

(b) The veterinarian is unable to complete the service requirements of the contract because of a permanent physical disability;

(c) The veterinarian demonstrates extreme hardship or shows other good cause justifying the release; or

(d) The veterinarian dies.

(2) (a) A veterinarian shall be released from further performance of veterinary services under the program contract if he or she is unable to perform his or her contractual obligations to provide veterinary services due to the suspension or revocation of his or her federal accreditation or denial, refusal of renewal, limitation, suspension, revocation, or other disciplinary measure taken against his or her license to practice in Nebraska pursuant to section 71-1,163 until December 1, 2008, and section 38-3324 on and after December 1, 2008.

(b) If a veterinarian is released from his or her contract pursuant to subdivision (a) of this subsection, the department may recover a portion of or all of the payments made to such veterinarian under section 5 of this act. The department shall remit any such funds to the State Treasurer for credit to the Food Supply Animal Veterinary Incentive Fund. The department may use appropriate remedies available to enforce this subdivision.

(3) The State of Nebraska shall be released from any further obligation under the Food Supply Animal Veterinary Incentive Program Act or any contract entered into with a veterinarian under the act if the veterinarian is released from the program pursuant to this section.

Sec. 7. The Food Supply Animal Veterinary Incentive Fund is created. The fund may be used to carry out the purposes of the Food Supply Animal Veterinary Incentive Program Act. The State Treasurer shall credit to the fund any money appropriated to the fund by the Legislature and any money received as gifts or grants or other private or public funds received under the act. Any money in the fund available for investment shall be invested by the state investment officer pursuant to the Nebraska Capital Expansion Act and the Nebraska State Funds Investment Act.

Sec. 8. The department shall adopt and promulgate rules and regulations to carry out the Food Supply Animal Veterinary Incentive Program Act.