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FLOOR DEBATE

March 11, 2004 LB 837

rest of the swine in the herd. The goal is to test enough so that they can be 95 percent sure that even if there were 5 percent of the herd was infected that it would be a 95 percent chance that they could find any other swine that was tested. But all breeding swine would be tested. Section 2 of the bill is also kind of a cleanup. It's three sections that will be...that would be repealed in the Livestock Market Act. The first one, 54-1175--and this will be repealed--requires all commercial weighing of livestock by an auction market to be performed by a licensed weighmaster as a condition of the license and operation. Section 54-1176 will also be repealed. Provides that a weighmaster license is obtained by applying in writing and a \$1 fee. That's all it takes. The director is authorized to dismiss employees performing weighmaster functions, subject to provisions in the act and the section. The permit fee revenues are deemed to be occupation tax and not licensing tax. That will be repealed. The third part that's repealed will be 54-1179. Requires scales used in an auction market to conform with the rules and regulations of the department. The reason for this is the Department of Agriculture right now does not enforce these provisions. Neither the act nor the existing regulations of the department currently specify qualifications of a weighmaster, and a license is obtained by simply paying a statutory fee of \$1. The department regulations currently require that all livestock markets employ scales approved under the Weights and Measures Act, which is really a duplication then. This portion of the Livestock Market Act parallels similar provisions in the federal Packers and Stockyards Act, so it's not really needed. Prior to the development of the modern Weights and Measures Act, there were several weighmaster provisions scattered throughout the statutes in the state. And they have all been one by one eliminated because of the modernization of scales and the enforcement of some of the...that are made obsolete. Also, the scales today are much different than they were. At one time it did take a considerable amount of training to be accurate and to be able to operate them with skill. Today's scales no longer require that, and the department felt like these sections should be repealed, since they're not really being enforced anyway. With that, I ask your adoption of LB 837. Thank you.