

departments monitoring and administering the program and overseeing the rehabilitation of such properties.

Section 3 requires the department to adopt and promulgate rules and regulations setting standards and procedures for (1) the notification of property owners that a clandestine drug lab (drug lab) has been discovered, (2) the rehabilitation and release for habitation of property contaminated by a drug lab, and (3) the release of relevant information to the public. The department is required to maintain a list for the public of contaminated and rehabilitated properties. Such property must be kept on the list for five years after it has been released for habitation.

Section 4 requires a law enforcement agency that discovers a drug lab to report its location to the health director of the local public health department and to the Nebraska State Patrol. Contents of the report are prescribed.

The local public health department is responsible for monitoring and administering the rehabilitation of the property according to rules and regulations of the department. The public health department may create a fee structure and charge the property owner to cover the costs of such rehabilitation. The public health department may contract with other local public health departments, if necessary, to monitor and administer such rehabilitation. The local public health department must release the property for habitation upon completion of the rehabilitation.

Section 5 makes it unlawful for a property owner to allow any person to inhabit the site of a drug lab until the property has been rehabilitated and released for occupation by the local public health department, unless the person is directly tasked with the assessment, inspection, or rehabilitation of the property.

Explanation of amendments, if any: The committee amendment (AM 2566) becomes the bill.

The amendment defines terms.

The amendment requires a law enforcement agency that discovers a clandestine drug lab to report the location of the lab to the Nebraska State Patrol within thirty days after making such discovery. Contents of the report are prescribed. As soon as practicable after discovering a clandestine drug lab, the law enforcement agency must also provide the Nebraska State Patrol with a complete list of the meth-related chemicals found at or removed from the location of the lab. The Nebraska State Patrol is required to forward a copy of the report and the list to the department, the Department of Environmental Quality, the municipality or county where the lab is located, and the director of the local public health department serving the municipality or county.

The amendment requires the public health department serving the municipality or county where a clandestine drug lab has been discovered to monitor the rehabilitation of any contaminated property at that location. The Department of Health and Human Services Regulation and Licensure is required to develop standards and procedures for such rehabilitation no later than July 15, 2007. The department, upon request, is permitted to approve other standards and procedures that are as stringent as or more stringent than those established by the department.

The amendment permits a local public health department to charge and collect fees from the owner or owners of contaminated property to cover the costs associated with the monitoring of the rehabilitation of the property. The local public health department may contract with other local public health departments or other appropriate entities to assist in monitoring the rehabilitation.

The amendment requires the local public health department to release the property for human habitation and use once the rehabilitation of the property has been completed.

The amendment prohibits the owner or owners of contaminated property from permitting the human habitation or use of the property until the rehabilitation of the property has been completed and the property has been released for human habitation and use.

If leased property is contaminated by a clandestine drug lab, the amendment permits the owner of the property to terminate the rental agreement upon three day's written notice for the purpose of rehabilitating the c property according to standards adopted by the department.

Senator Jim Jensen, Chairperson