

AMENDMENTS TO LB176

Introduced by Agriculture.

1 1. Strike original section 2 and insert the following new section:

2 Sec. 2. Section 54-2604, Reissue Revised Statutes of Nebraska, is
3 amended to read:

4 54-2604 (1) Except as provided in subsection (2) of this section, a
5 packer shall not:

6 (a) Directly or indirectly own, control, or operate a livestock
7 operation in this state; or

8 (b) Directly or indirectly be engaged in the ownership, keeping, or
9 feeding of livestock, other than temporary ownership, keeping, and
10 feeding not to exceed fourteen days which is necessary and incidental to,
11 and immediately prior to, the process of slaughter.

12 (2) Subdivision (1)(b) of this section does not apply to the
13 ownership, keeping, or feeding of swine by a packer at one or more
14 contract swine operations in this state if the packer does not own, keep,
15 or feed swine in this state except for the purpose of the slaughtering of
16 swine or the manufacturing or preparation of carcasses of swine or goods
17 originating from the carcasses in one or more processing facilities owned
18 or controlled by the packer.

19 (3) For purposes of this section, indirectly own, control, or
20 operate a livestock operation and indirectly be engaged in the ownership,
21 keeping, or feeding of livestock includes:

22 (a) Receiving the net revenue or a share of the net revenue derived
23 from a livestock operation or from a person who contracts for the care
24 and feeding of livestock in this state, unless the packer is not involved
25 in the management of the livestock operation;

26 (b) Assuming a morbidity or mortality production risk if the
27 livestock are fed or otherwise maintained as part of a livestock

1 operation in this state, unless the packer is not involved in the
2 management of the livestock operation;

3 (c) Loaning money or guaranteeing, acting as a surety for, or
4 otherwise financing a livestock operation in this state or a person who
5 contracts for the care and feeding of livestock in this state. For
6 purposes of this subdivision, loaning money or guaranteeing, acting as a
7 surety for, or otherwise financing a livestock operation does not include
8 executing a contract for the purchase of livestock by a packer,
9 including, but not limited to, forward contracts, marketing agreements,
10 long-term arrangements, formula arrangements, other noncash sales
11 arrangements, contracts that contain a ledger balance unsecured by
12 collateral of the debtor or other price risk sharing arrangements, or
13 providing an open account or loan unsecured by collateral of the debtor
14 or a ledger balance or loan secured by collateral of the debtor so long
15 as the amount due from the debtor does not exceed one million dollars.

16 ~~After May 27, 1999, it is unlawful for a packer to directly or~~
17 ~~indirectly be engaged in the ownership, keeping, or feeding of livestock~~
18 ~~for the production of livestock or livestock products, other than~~
19 ~~temporary ownership, keeping, and feeding, not to exceed five days,~~
20 ~~necessary and incidental to the process of slaughter.~~