

TRANSCRIPT PREPARED BY THE CLERK OF THE LEGISLATURE  
Transcriber's Office  
FLOOR DEBATE

February 21, 2003 LB 250

based on an estimated annual revenue and the fiscal year-end Cash Fund balance. The fees would be based on strictly statutory guidelines. This is similar to the fees...the fee caps and guidelines that we talked about the other day in the Weights and Measures Act. And that would be the Cash Fund appropriation for the act set by the Legislature, would be the base for the Cash Fund expenditures. The revenue from the fees could not be greater than seven percent increase over the Cash Fund appropriations. And also that the projected year-end cash balance could not be greater than 17 percent of the Cash Fund appropriated. That means that the reserve could not be over a two-day...or, a two-month cost, or the needs that they have for two months, so that there would be a cap over it. And if it grew over that, then the fees would be adjusted to a lower amount. If they were short of that, then they could adjust it higher. The fees would be capped by statute. The Pure Food Act inspection fees currently set were last revised in 1985, and were set at a time when the level was significant for the last four years, based on the assumption of a three-year inflation...a three percent inflation, I'm sorry. When fee revenues and Cash Fund expenditures are closely matched, the program operates with no Cash Fund reserve, and the fund will fall into deficit without an adjustment fee. Different than the Weights and Measures, where the Cash Fund was carrying a heavier load than the General Funds, this program is about 50-50 General Funds and 50 percent Cash Funds. With that, I move the adoption of LB 250.

SENATOR CUDABACK: Thank you, Senator Kremer. (Visitors introduced.) On...there are committee amendments, as stated. Senator Kremer, as chairman of the committee, you're recognized to open on them. (AM0211, Legislative Journal page 455.)

SENATOR KREMER: Thank you, Mr. President. The committee amendments are fairly simple. It states a pharmacy is defined in section 71-...oh, okay. That's an amendment that we're withdrawing. I'll go to the other one. Okay. The Department of Agriculture recommendation to narrow the exclusion in order to bring within Pure Food Act regulations certain types of establishments that are increasingly involved in food sales. The narrowing of the exemption of the bill as introduced would,