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FLOOR DEBATE

January 26, 2005 LB 51

The bill was introduced on January 6 of this year, referred to the Agriculture Committee for public hearing, advanced to General File. I have no amendments at this time to the bill, Mr. President.

SENATOR CUDABACK: Thank you, Mr. Clerk. Senator Kremer, to open on LB 51.

SENATOR KREMER: Thank you, Mr. President and members of the body. LB 51 was brought to us by the Department of Agriculture and they were wanting authority to do a laboratory testing for other governmental entities and associations of governmental entities and their membership, and authority to charge actual costs to reimburse the state's cost. Currently, the Agriculture Laboratories Division of the Department of Agriculture does testing for the department's regulatory work, and that is like testing for commercial feeds, commercial fertilizers, agricultural seeds, milk and food products. And it has authority to charge others for fees for testing of seed samples under Nebraska seed law. LB 51 will allow the Department of Agriculture to extend its ability to charge for performances on the sample analysis. Recently, the Department of Agriculture laboratory became involved with a national network of governmental laboratories called the Food Emergency Response Network, acronym of FERN. The FERN network consists of state and federal laboratories which might be called upon to test samples in a national emergency involving the food supply. This emergency might be due to natural events or it could be caused by human means. Should an emergency exist somewhere in the United States and should the emergency overwhelm the regional's ability to perform analysis, the Department of Agriculture laboratory could be called upon to perform this testing. Currently, the Department of Agriculture laboratory has no expressed statutory authority to accept payment for such testing for others. The bill is relatively simple. Section 1 adds authority to perform this testing. And Section 2 provides the permissive authority to the department to conduct with other government entities in Nebraska and other states and federal government and associations with members from federal government entities to perform laboratory testing services, the testing required to be related to the Department of Agriculture's