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

February 25, 2005 LB 51

give you just a little bit of review of LB 51. We did hear this bill in General File on January 26 and passed it and, since then, we had some indication that there's some things that we'd like to change a little bit. The bill really, in Section 2, this is LB 51, authorizes the Department of Agriculture to contract with listed governmental and quasi-governmental entities to perform laboratory analysis, and the reason for that is to enable the government...or the department to participate interstate partnerships to pool laboratory intrastate or resources in the event of food safety or disease emergencies. Nebraska is a member of the Food Emergency Response Network. This is intergovernmental agreement and it participates...the participants may be called upon in the event of food safety emergencies that overwhelms capacities in one area of the In case of a terrorist attack, something like that, country. that laboratories would be overwhelmed, say, in Nebraska or another state, that they could participate with one another to perform the laboratory tests that would need to be done, whatever it might be. The second part would enable the department to be a participating lab in verification studies for new analytical techniques or methods developed by entities whose primary function is to establish laboratory and analytical standards. The amendment is to avoid any perceived...or perception that the authority to contract laboratory services authorized by the bill could be utilized as entrepreneurial activities for the expansion of lab capacities beyond the need for regulatory functions, and it's also to be certain that the department does not compete with the private sector. Now, we mentioned in the bill, as we introduced it, that that was the intention, but some felt like it needed some clarification. And it's also to conform the bill with the state's intention by the department in requesting any of this authority. As I mention that concerns arose that the, on General File, the private labs, that the bill may not adequately spell out that the department was prevented from using the authority to expand laboratory facilities and activities into areas that compete with private The bill, as introduced, contains restrictions that sector. The amendment merely were intended to address these issues. makes more...more precisely spells out when the department could accept requests for lab services to be certain that the use of the authority of the bill is limited to what it's intended for.