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March 21, 2005 LB 131

me that there may be some other instances that needed to be addressed. I asked for a late hearing date, which Senator Kremer gave us, allowing time to work with the department and other interested parties. The committee amendments are the result of those negotiations. And with that, I will turn my time back, Lieutenant Governor.

PRESIDENT SHEEHY: Thank you, Senator Cunningham. We'll move to committee amendment AM0604. Senator Kremer.

SENATOR KREMER: Thank you, Mr. Lieutenant Governor and members of the body. Senator Cunningham did explain kind of the purposes of the bill. The committee amendment strikes the original sections and becomes the bill. The amendment does not substantially alter the original purpose of LB 131, but better defines the exclusions to the definition of "food establishment" originally contained in Section 1 of the introduced bill, which becomes Section 4 of the amendment. The committee amendment makes the following changes. It retains the original revision in subsection (1), but adds prepackaged ice to the list of items that may be sold without defining the operation as a food establishment. Number two, it retains the bill's extended exclusion in new Section 7 to private homes preparing foods for charitable functions, but qualifies the exclusion to make it clear that it applies only to donated food, and is not applicable to food that is catered for compensation. amendment retains the requirement for notification at the point of consumption that the food is prepared in an unlicensed Number three, it replaces the introduced new Section 11, and restates the exclusion to apply to operations that sell only commercially packaged non-potentially-hazardous if the establishment is not a commercial establishment. Section 3 of the amendment defines a commercial food establishment as a permanent retail sale location having more than 100 square feet of food space. This would thus exclude most private home retail activities and sales occurring at temporary retail venues such as a farmer's market and craft shows, as intended by the bill as it was introduced. change was Section 1 and 2 of the amendment. Incorporates the definition of a commercial food establishment in Section 3 of the amendment into the Nebraska Pure Food Act. I might say that