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FLOOR DEBATE

March 21, 2005 LB 131

both the Department of Agriculture and the Nebraska Food Advisory Committee support the bill and the committee amendments. And the department would welcome not having to expend some of its operation time and resources on the...something that does not have any likelihood of having any risk involved. So I think Senator Cunningham mentioned that it was a case where somebody was doing things for charity in preparing in their home, and it was becoming very popular, but then they had to come under the scrutiny of the...of all the regulations, when this kind of makes a more...makes it applicable so they can do this in a way not to be interfered with. So with that, I'd ask your adoption to the committee amendments to LB 131.

PRESIDENT SHEEHY: Thank you, Senator Kremer. You've heard the opening on AM0604. The floor is now open for discussion. Senator Beutler.

SENATOR BEUTLER: (Microphone malfunction)...Cunningham, a quick question, if I may. You have an exemption in here for the private home or other area, whatever that might mean, where food is prepared for distribution at a fund-raising event for a charitable purpose. If food is prepared in a private home or other area, under this provision, and compensation is provided in any amount, does that exclude them from the availability of this exemption? In other words, if they take money for preparing this food, or other compensation for preparing this food for the charitable purpose, do they then become a caterer, or something that is regulated under some other provision?

SENATOR CUNNINGHAM: Yes, they do, Senator.

SENATOR BEUTLER: Okay. Thank you.

PRESIDENT SHEEHY: Further discussion from the floor? Senator Kremer, you're recognized to close. Senator Kremer waives closing. The question before the body is, shall AM0604 be adopted to LB 131? All those in favor vote yea; opposed, nay. Please record, Mr. Clerk.

CLERK: 32 ayes, 0 nays, Mr. President, on adoption of committee