



Hundredth Legislature - First Session - 2007
Introducer's Statement of Intent
LB 111

Chairperson: Philip Erdman
Committee: Agriculture
Date of Hearing: January 23, 2007

The following constitutes the reasons for this bill and the purposes which are sought to be accomplished thereby:

LB 111 combines the current Nebraska Pasteurized Milk Law and the Nebraska Manufacturing Milk Act into one act, the Nebraska Milk Act. The bill also substantially adopts the most recent official publications of the Public Health Service of the United State Department of Health & Human Services pertaining to milk standards which incorporate recommendations of the National Conference on Interstate Milk Shipments. These publications take into account new technologies and product developments that occur in this industry, and regulatory experience. The adoption of the most recent publication is necessary to keep Nebraska's laws and regulations pertaining to milk safety and sanitation in step with model regulatory recommendations in order to apply up-to-date standards, to maintain uniformity of regulations, and to enable the Nebraska dairy industry to participate freely in interstate commerce. The bill would require field representatives to be trained and pass an examination related to sanitation practices.

The bill modifies the way permit fees are calculated as of August 1, 2008, and the way inspection fees are calculated as of October 1, 2007. The permit and inspection fees have not been changed since 1980. During that time, however, the industry has evolved and changed dramatically. The changes to the fee structure would make them more equitable and spread the cost more equally among all licensees. The language also incorporates certain fee setting and cash fund management principles to avoid excessive cash fund buildup while maintaining sufficient resources to carry out the Department of Agriculture's regulatory responsibilities relating to milk. Overall, the new fees will generate an increase in cash funds which is needed to account for inflation that has occurred since fees were last statutorily set and to maintain an equitable allocation of costs between the cash fund and general funds.

Principal Introducer:

Senator Philip Erdman