

LEGISLATURE OF NEBRASKA  
ONE HUNDRED SEVENTH LEGISLATURE  
FIRST SESSION

**LEGISLATIVE BILL 235**

Introduced by Brewer, 43; Albrecht, 17; Erdman, 47; Halloran, 33; Lowe,  
37; Slama, 1.

Read first time January 11, 2021

Committee: Agriculture

- 1 A BILL FOR AN ACT relating to the Nebraska Meat and Poultry Inspection
- 2 Law; to amend section 54-1901, Reissue Revised Statutes of Nebraska;
- 3 to state intent to implement a cooperative state inspection program
- 4 pursuant to federal law; to provide powers and duties for the
- 5 Department of Agriculture; to create a fund; to harmonize
- 6 provisions; and to repeal the original section.
- 7 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 54-1901, Reissue Revised Statutes of Nebraska, is  
2 amended to read:

3 54-1901 Sections 54-1901 to 54-1915 and sections 2 and 3 of this act  
4 may be cited as the Nebraska Meat and Poultry Inspection Law.

5 Sec. 2. (1) It is the intent of the Legislature that on or before  
6 January 1, 2023, the director shall implement a program of state  
7 inspection at establishments which process meat or meat products for  
8 human consumption that qualifies as a cooperative state inspection  
9 program under 21 U.S.C. 661, and 21 U.S.C. 454, as such sections existed  
10 on January 1, 2021.

11 (2) The department may employ a program administrator who shall be  
12 responsible for developing, implementing, and operating a state  
13 inspection program. Such administrator, on behalf of the director, shall  
14 coordinate activities necessary, including cooperation and consultation  
15 with the United States Department of Agriculture, in order to prepare a  
16 state performance plan that includes provisions for ante mortem and post  
17 mortem inspection, reinspection, sanitation, and program management at  
18 least equal to those imposed under the Federal Meat Inspection Act, 21  
19 U.S.C. 601 et seq., as such act existed on January 1, 2021.

20 (3) On or before December 1, 2021, the director shall provide a  
21 report to the Legislature which enumerates and describes any actions  
22 necessary to implement a state program of meat inspection described in  
23 this section. The report shall identify necessary revisions to the  
24 Nebraska Meat and Poultry Inspection Law, to any other statutory  
25 authority of the department, and to any rules and regulations adopted and  
26 promulgated under the law in order to effect the purposes of this  
27 section. The report shall include a detailed description of anticipated  
28 resources required to develop and maintain such inspection program. The  
29 report shall recommend a fee schedule that ensures revenue produced from  
30 the licensure and inspection of establishments which process meat or meat  
31 products for human consumption is sufficient to fund the state program of

1 meat inspection, including the implementation of a fee-for-service system  
2 in conducting inspections.

3       Sec. 3. The Cooperative State Meat Inspection Cash Fund is created.  
4 The fund may be used to carry out the purposes of section 2 of this act.  
5 The State Treasurer shall credit to the fund any money appropriated to  
6 the fund by the Legislature and money received as gifts, grants, or other  
7 private or public funds obtained for the purposes of section 2 of this  
8 act. Any money in the fund available for investment shall be invested by  
9 the state investment officer pursuant to the Nebraska Capital Expansion  
10 Act and the Nebraska State Funds Investment Act.

11       Sec. 4. Original section 54-1901, Reissue Revised Statutes of  
12 Nebraska, is repealed.