

ONE HUNDRED THIRD LEGISLATURE - FIRST SESSION - 2013
COMMITTEE STATEMENT
LB544

Hearing Date: Tuesday February 26, 2013
Committee On: Agriculture
Introducer: Hansen
One Liner: Require notifications regarding bovine trichomoniasis

Roll Call Vote - Final Committee Action:
Advanced to General File with amendment(s)

Vote Results:

Aye:	7	Senators Bloomfield, Hansen, Harr, Johnson, Lathrop, Schilz, Wallman
Nay:		
Absent:	1	Senator Chambers
Present Not Voting:		

Proponents:

Senator Tom Hansen
Rusty Kemp
Larry Williams
John K Hansen
Scott Reynolds

Representing:

Introducer
Nebraska Cattlemen
Nebraska Veterinary Medical Assoc
Nebraska Farmers Union
N/A

Opponents:

Representing:

Neutral:

Representing:

Summary of purpose and/or changes:

LB 544 would amend section 54-742 regarding notification of animal diseases to assign a duty to owners or managers of cattle to notify the Department of Agriculture and adjacent landowners, as defined by the Department, of a diagnosis of bovine trichomoniasis within 14 days of the diagnosis. The bill provides that a person having a duty to notify shall timely submit an affidavit to the Department attesting to having met the notification requirement. Such affidavit may be made on a form provided by the Department. If a cattle owner or manager fails to make timely notification, the bill authorizes the Department to perform the notification and to assess costs incurred against the person failing to report.

LB 544 further amends section 38-3330 which defines a veterinary privilege, including waivers of liability of a veterinarian for disclosing client information. The bill would provide additional statutory waiver for disclosure of a risk of trichomoniasis to other cattle owners or managers.

Explanation of amendments:

The committee amendment (AM942) inserts a new subsection to impose a prohibition on owners/custodians selling or transporting breeding bulls reasonably suspected of trichomoniasis except directly to slaughter unless the animal is tested for bovine trichomoniasis. If a confirmed diagnosis of trichomoniasis is received, the owner/custodian or the veterinarian are required to notify the director of the diagnosis within 5 business days. Any breeding bull for which a confirmed diagnosis of trichomoniasis is confirmed may not be sold or transported except directly to slaughter.

The committee amendment clarifies that the duty of an owner/custodian to notify adjacent landowners is confined to beef and dairy breeding bulls and triggered by a confirmed diagnosis of trichomoniasis in breeding bulls. The amendment provides that the affidavit or form attesting to the owner/custodian's notification of neighboring landowners shall include the names and contact information of persons notified. The amendment also relocates the authority of the Department to define adjacent properties for purpose of notification so that it applies only in the event that the Department is required to perform notification upon failure of the owner/custodian of infected animals to do so.

Finally, the committee amendment inserts new section 1 amending section 2-3812 to designate the Nebraska Agricultural Products Marketing Cash Fund for receipts of any funds collected under the bill. Corresponding direction in the new notification duty is inserted into section 54-742 that any funds collected are to be credited to the Nebraska Agricultural Products Marketing Cash Fund.

Ken Schilz, Chairperson