

LEGISLATURE OF NEBRASKA  
ONE HUNDRED THIRD LEGISLATURE  
SECOND SESSION

**LEGISLATIVE BILL 942**

Introduced by Schilz, 47; Watermeier, 1.

Read first time January 16, 2014

Committee: Agriculture

A BILL

1 FOR AN ACT relating to agriculture; to amend sections 54-2604,  
2 54-2605, and 54-2606, Reissue Revised Statutes of  
3 Nebraska; to change provisions relating to packers under  
4 the Competitive Livestock Markets Act; to harmonize  
5 provisions; and to repeal the original sections.  
6 Be it enacted by the people of the State of Nebraska,

1           Section 1. Section 54-2604, Reissue Revised Statutes of  
2 Nebraska, is amended to read:

3           54-2604 ~~After May 27, 1999, it~~ It is unlawful for a  
4 packer to directly or indirectly be engaged in the ownership,  
5 keeping, or feeding of ~~livestock~~ beef or dairy cattle for the  
6 production of ~~livestock or livestock~~ beef or beef products or milk or  
7 dairy products, other than temporary ownership, keeping, and feeding,  
8 not to exceed five days, necessary and incidental to the process of  
9 slaughter.

10          Sec. 2. Section 54-2605, Reissue Revised Statutes of  
11 Nebraska, is amended to read:

12          54-2605 Whenever the Attorney General has reason to  
13 believe that a packer is violating section 54-2604, he or she shall  
14 commence an action in district court to enjoin the ~~livestock~~ beef or  
15 dairy cattle operation. The court, upon determination that such  
16 packer is in violation of section 54-2604, shall order such ~~livestock~~  
17 cattle to be removed and sold and shall assess the packer a fine of  
18 not less than one thousand dollars for each day of violation.

19          Sec. 3. Section 54-2606, Reissue Revised Statutes of  
20 Nebraska, is amended to read:

21          54-2606 The proceeds from any ~~livestock~~ beef or dairy  
22 cattle ordered to be sold pursuant to section 54-2605 shall not be  
23 distributed until all fines and costs associated with such action  
24 have been paid. All money collected as a fine shall be remitted to  
25 the State Treasurer for ~~credit to the permanent school fund.~~

1 distribution in accordance with Article VII, section 5 of the  
2 Constitution of Nebraska. All fines levied under this section  
3 remaining unpaid shall constitute a debt to the State of Nebraska  
4 which may be collected by lien foreclosure or sued for and recovered  
5 in any proper form of action, in the name of the State of Nebraska,  
6 in the district court of the county in which the violation occurred.

7           Sec. 4. Original sections 54-2604, 54-2605, and 54-2606,  
8 Reissue Revised Statutes of Nebraska, are repealed.