

LEGISLATURE OF NEBRASKA
 ONE HUNDRED THIRD LEGISLATURE
 FIRST SESSION
LEGISLATIVE BILL 613

Final Reading

Introduced by Schumacher, 22; Campbell, 25; Harms, 48; Harr, 8;
 Lathrop, 12; Mello, 5; Davis, 43; Conrad, 46; Dubas,
 34; Ashford, 20; McCoy, 39; Chambers, 11.

Read first time January 23, 2013

Committee: Executive Board

A BILL

1 FOR AN ACT relating to the Legislature; to amend sections 50-406 and
 2 50-407, Reissue Revised Statutes of Nebraska; to change
 3 powers of the Legislative Council and committees of the
 4 Legislature; to provide for litigation and appeals; to
 5 change provisions relating to court jurisdiction; to
 6 repeal the original sections; and to declare an
 7 emergency.
 8 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 50-406, Reissue Revised Statutes of
2 Nebraska, is amended to read:

3 50-406 In the discharge of any duty ~~herein imposed the~~
4 ~~council, or any committee thereof, shall have authority to by the~~
5 Legislative Council, by statute, or by a resolution of the
6 Legislature, the council, any committee thereof, and any standing or
7 special committee created by statute or resolution of the Legislature
8 may hold public hearings and may administer oaths, issue subpoenas
9 when the committee has received prior approval by a majority vote of
10 the Executive Board of the Legislative Council to issue subpoenas in
11 connection with the specific inquiry or investigation in question,
12 ~~upon approval of a majority of the council or committee,~~ compel the
13 attendance of witnesses, and the production of any papers, books,
14 accounts, documents, and testimony, and to cause the depositions of
15 witnesses either residing within or without the state to be taken in
16 the manner prescribed by law for taking depositions in civil actions
17 in the district court. The council or the committee may require any
18 state agency, political subdivision, or person to provide information
19 relevant to the committee's work, and the state agency, political
20 subdivision, or person shall provide the information requested within
21 thirty days after the request except as provided for in a subpoena.
22 The statute or resolution creating a committee may prescribe
23 limitations on the authority granted by this section.

24 Litigation to compel or quash compliance with authority
25 exercised pursuant to this section shall be advanced on the court

1 docket and heard and decided by the court as quickly as possible.
2 Either party may appeal to the Court of Appeals within ten days after
3 a decision is rendered.

4 The district court of Lancaster County has jurisdiction
5 over all litigation arising under this section. In all such
6 litigation the executive board shall provide for legal representation
7 for the council or committee.

8 Sec. 2. Section 50-407, Reissue Revised Statutes of
9 Nebraska, is amended to read:

10 50-407 In case of disobedience on the part of any person
11 to comply with any subpoena issued on behalf of the council or any
12 committee thereof or of the refusal of any witness to testify on any
13 matters regarding which he or she may be lawfully interrogated, the
14 district court ~~for any county of Lancaster County~~ or the judge
15 thereof, on application of a member of the council, shall compel
16 obedience by proceedings for contempt as in the case of disobedience
17 of the requirements of a subpoena issued from such court or a refusal
18 to testify therein.

19 If a witness refuses to testify before a special
20 committee of the Legislature authorized pursuant to section 50-404 on
21 the basis of the privilege against self-incrimination, the
22 chairperson of the committee may request a court order pursuant to
23 sections 29-2011.02 and 29-2011.03.

24 Sec. 3. Original sections 50-406 and 50-407, Reissue
25 Revised Statutes of Nebraska, are repealed.

1 Sec. 4. Since an emergency exists, this act takes effect
2 when passed and approved according to law.