

LEGISLATURE OF NEBRASKA

ONE HUNDRED FIRST LEGISLATURE

FIRST SESSION

LEGISLATIVE BILL 246

FINAL READING

Introduced by Dubas, 34.

Read first time January 14, 2009

Committee: Natural Resources

A BILL

1 FOR AN ACT relating to biotechnology; to provide for development of
2 a statewide strategic plan for biotechnology; to create a
3 fund; to define terms; to eliminate the Biopower Steering
4 Committee and the Biopower Development Cash Fund; and to
5 outright repeal section 66-1701, Reissue Revised Statutes
6 of Nebraska.

7 Be it enacted by the people of the State of Nebraska,

1 Section 1. (1) The Legislature recognizes the importance
2 of biotechnology and the role that biotechnology plays in
3 the economic well-being of the State of Nebraska. The Natural
4 Resources Committee of the Legislature shall be responsible for
5 the development of a statewide strategic plan for biotechnology in
6 Nebraska. The plan shall include a baseline review and assessment
7 of the potential in the biotechnology economy in Nebraska and a
8 strategic plan for the state's efforts in creating wealth and jobs
9 in the biotechnology economy. The plan shall address strategies
10 for developing the biotechnology economy and shall include, but
11 not be limited to, research, testing, agricultural feedstock and
12 chemicals, drugs and other pharmaceuticals, medical materials,
13 medical laboratories, and advanced biofuels. The plan shall
14 estimate the wealth and the number of jobs that may be generated
15 from expanding the biotechnology economy.

16 (2) The Natural Resources Committee of the Legislature,
17 in consultation with the Executive Board of the Legislature,
18 shall commission a nonprofit corporation to provide research,
19 analysis, and recommendations to the committee for the development
20 of the plan. The nonprofit corporation shall be incorporated
21 pursuant to the Nebraska Nonprofit Corporation Act, shall be
22 organized exclusively for nonprofit purposes within the meaning
23 of section 501(c)(6) of the Internal Revenue Code as defined in
24 section 49-801.01, shall be engaged in activities to facilitate
25 and promote the growth of life sciences within Nebraska, shall

1 be dedicated to the development and growth of the biotechnology
2 economy, and shall agree to remit one hundred thousand dollars to
3 the State Treasurer for credit to the Biotechnology Development
4 Cash Fund for the research required by this section. The nonprofit
5 corporation shall retain such consultation services as required for
6 assistance in providing research, analysis, and recommendations.
7 The nonprofit corporation shall present its research, analysis, and
8 recommendations to the committee by June 30, 2010.

9 (3) The Natural Resources Committee shall prepare
10 and present to the Legislature a statewide strategic plan for
11 biotechnology during the One Hundred Second Legislature, First
12 Session, for consideration by the Legislature. The committee
13 shall prepare annual updates to the plan for consideration by the
14 Legislature.

15 (4) The Biotechnology Development Cash Fund is created.
16 The Natural Resources Committee shall use money in the fund
17 to commission the nonprofit corporation and provide access to
18 resources necessary for developing the plan. The fund may receive
19 gifts, bequests, grants, or other contributions or donations from
20 public or private entities. Within five days after the State
21 Treasurer receives one hundred thousand dollars from the nonprofit
22 corporation for credit to the fund, the State Treasurer shall
23 transfer one hundred thousand dollars from the General Fund to
24 the Biotechnology Development Cash Fund. It is the intent of the
25 Legislature to appropriate two hundred thousand dollars to the

1 fund for fiscal year 2009-10. Any money in the fund available
2 for investment shall be invested by the state investment officer
3 pursuant to the Nebraska Capital Expansion Act and the Nebraska
4 State Funds Investment Act.

5 (5) For purposes of this section:

6 (a) Biotechnology means the technological application
7 that uses biological systems, living organisms, or derivatives of
8 biological systems or living organisms to make or modify products
9 or processes for specific use; and

10 (b) Biotechnology economy means economic activity derived
11 from scientific and research activity focused on understanding
12 mechanisms and processes at the genetic and molecular levels and
13 the application of the mechanisms and processes to industrial
14 processes.

15 Sec. 2. The following section is outright repealed:
16 Section 66-1701, Reissue Revised Statutes of Nebraska.