

LEGISLATURE OF NEBRASKA
ONE HUNDRED SIXTH LEGISLATURE
SECOND SESSION

LEGISLATIVE BILL 1200

Introduced by Brewer, 43; Halloran, 33.

Read first time January 23, 2020

Committee: Agriculture

1 A BILL FOR AN ACT relating to livestock; to amend sections 33-151,
2 54-173, 54-174, 54-175, 54-176, 54-180, 54-182, 54-183, 54-184,
3 54-186, 54-193, 54-194, 54-196, 54-197, 54-199, 54-1,101, 54-1,102,
4 54-1,103, 54-1,104, 54-1,106, 54-1,107, 54-1,109, 54-1,112,
5 54-1,113, 54-1,114, 54-1,116, 54-1,117, 54-1,118, 54-1,124,
6 54-1,125, 54-1,126, 54-1,127, 60-3,135, 60-480.01, and 84-1005,
7 Reissue Revised Statutes of Nebraska, sections 54-170, 54-171,
8 54-172, 54-175.01, 54-179, 54-189, 54-191, 54-195, 54-198, 54-1,100,
9 54-1,105, 54-1,108, 54-1,110, 54-1,111, 54-1,115, 54-1,119,
10 54-1,120, 54-1,121, 54-1,122, 54-1,128, 54-1,129, 54-1,130,
11 54-1,131, 54-415, 54-789, and 54-1160.01, Revised Statutes
12 Cumulative Supplement, 2018, and sections 54-192, 81-1021, 81-1316,
13 and 84-1411, Revised Statutes Supplement, 2019; to rename the
14 Livestock Brand Act; to define and redefine terms; to rename the
15 Nebraska Brand Committee; to rename a fund; to provide for certain
16 livestock identifiers; to change and provide for fees; to change
17 inspection provisions; to provide for violations and penalties; to
18 change registered feedlot requirements; to change provisions
19 relating to estrays; to harmonize provisions; and to repeal the
20 original sections.
21 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 33-151, Reissue Revised Statutes of Nebraska, is
2 amended to read:

3 33-151 All money now in the state treasury to the credit of the
4 Board of Barber Examiners, the State Real Estate Commission, the Board of
5 Engineers and Architects, the State Athletic Commissioner, the Nebraska
6 Oil and Gas Conservation Commission pursuant to sections 57-906 and
7 57-911, and any other state board, bureau, division, fund, or commission
8 not mentioned in this section, and all money collected by each of such
9 boards, bureaus, divisions, or commissions during any biennium, if and
10 when specifically appropriated by the Legislature for that purpose, are
11 made immediately available for the use and benefit of such board, bureau,
12 division, or commission. This section shall not be construed to apply to
13 the fees inuring to the Nebraska Livestock Identification Brand
14 Inspection and Theft Prevention Fund.

15 Sec. 2. Section 54-170, Revised Statutes Cumulative Supplement,
16 2018, is amended to read:

17 54-170 Sections 54-170 to 54-1,131 and sections 4, 5, 6, 9, 10, 11,
18 13, 16, 17, 18, 19, 22, and 23, of this act shall be known and may be
19 cited as the Livestock Identification Brand Act.

20 Sec. 3. Section 54-171, Revised Statutes Cumulative Supplement,
21 2018, is amended to read:

22 54-171 For purposes of the Livestock Identification Brand Act, the
23 definitions found in sections 54-172 to 54-190 and sections 4, 5, 6, 9,
24 10, 11, 13, 16, 17, 18, 19, 22, and 23 of this act shall be used.

25 Sec. 4. Agency means the Nebraska Livestock Identification Agency.

26 Sec. 5. Audit means a review of supporting documents, and livestock
27 as necessary, to ensure that the Livestock Identification Act and all
28 agency rules and regulations are being followed.

29 Sec. 6. Section 54-174, Reissue Revised Statutes of Nebraska, is
30 amended to read:

31 ~~54-174~~ Authority Brand inspection agency means an authority or

1 agency of a state, or a duly organized livestock association of a state,
2 authorized by state law and registered with the Packers and Stockyards
3 Division of the United States Department of Agriculture to charge and
4 collect, at designated stockyards, packing plants, livestock auction
5 markets sales ~~barns~~, or farm and ranch loading points, a reasonable and
6 nondiscriminatory fee for the inspection of brands, marks, electronic
7 identifiers, and other identifying characteristics of livestock
8 originating in or shipped from such state for the purpose of determining
9 the ownership of such livestock.

10 Sec. 7. Section 54-172, Revised Statutes Cumulative Supplement,
11 2018, is amended to read:

12 54-172 Bill of sale means a formal instrument for the conveyance or
13 transfer of title to livestock or other goods and chattels. The bill of
14 sale shall state the purchaser's name and address, the date of transfer,
15 the guarantee of title, the number of livestock transferred, the sex of
16 such livestock, the brand or brands or other approved individual
17 identifiers, the location of the brand or brands or a statement to the
18 effect that the animal is unbranded, and the name and address of the
19 seller. The signature of the seller shall be attested by at least one
20 witness or acknowledged by a notary public or by some other officer
21 authorized by state law to take acknowledgments. For any conveyance or
22 transfer of title to cattle subject to assessment imposed pursuant to the
23 federal Beef Promotion and Research Order, 7 C.F.R. part 1260, for which
24 the purchaser is the collecting person pursuant to 7 C.F.R. 1260.311 for
25 purposes of collecting and remitting such assessment, the bill of sale
26 shall include a notation of the amount the purchaser collected from the
27 seller or deducted from the sale proceeds for the assessment. A properly
28 executed bill of sale means a bill of sale that is provided by the seller
29 and received by the purchaser.

30 Sec. 8. Section 54-179, Revised Statutes Cumulative Supplement,
31 2018, is amended to read:

1 54-179 Certificate of inspection means the official document issued
2 and signed by a livestock identification brand inspector authorizing (1)
3 movement of livestock from a point of origin within the livestock
4 identification brand inspection area to a destination either inside or
5 outside of the livestock identification brand inspection area or outside
6 of this state, (2) slaughter of livestock as specified on such
7 certificate, or (3) the change of ownership of livestock as specified on
8 such certificate. A certificate of inspection shall designate, as needed,
9 the name of the shipper, consignor, or seller of the livestock, the
10 purchaser or consignee of the livestock, the destination of the
11 livestock, the vehicle license number or carrier number, the miles driven
12 by an inspector to perform inspection, the amount of inspection fees
13 collected, the number and sex of the livestock to be moved or
14 slaughtered, the brands or approved individual identifiers, if any, on
15 the livestock, and the brand owner. A certificate of inspection shall be
16 construed and is intended to be documentary evidence of ownership on all
17 livestock covered by such document.

18 Sec. 9. Electronic inspection means utilizing approved electronic
19 approved evidence of ownership which has been enrolled with the agency.

20 Sec. 10. Electronic transaction means a transaction by which the
21 producer enters information through the provided portal paying the
22 required portal fee.

23 Sec. 11. Enrollment means enrollment of cattle identified with
24 electronic identifiers approved by the agency and which occur
25 electronically and use only those approved identifiers for evidence of
26 ownership.

27 Sec. 12. Section 54-180, Reissue Revised Statutes of Nebraska, is
28 amended to read:

29 54-180 Estray means any livestock found running at large upon public
30 or private lands, either fenced or unfenced, whose owner is unknown in
31 the area where found, any such livestock which is branded with a brand

1 which is not on record in the office of the agency Nebraska Brand
2 Committee, or any livestock for which ownership has not been established
3 as provided in section 54-1,118.

4 Sec. 13. Grow yard means a feedlot that grows cattle before the
5 cattle enter a finishing feedlot.

6 Sec. 14. Section 54-182, Reissue Revised Statutes of Nebraska, is
7 amended to read:

8 54-182 Investigator means an employee of the agency Nebraska Brand
9 Committee who is also a deputy state sheriff and has the duty,
10 responsibility, and authority to enforce all state statutes pertaining to
11 brands, livestock identification brand inspection, and associated
12 livestock laws. An investigator is also responsible for the investigation
13 of all problems associated with brands, livestock identification brand
14 inspection, and associated livestock enforcement problems.

15 Sec. 15. Section 54-183, Reissue Revised Statutes of Nebraska, is
16 amended to read:

17 54-183 Livestock means any domestic cattle, bison, horses, mules,
18 donkeys, sheep, or swine.

19 Sec. 16. Section 54-173, Reissue Revised Statutes of Nebraska, is
20 amended to read:

21 ~~54-173~~ Livestock identification Brand clearance means the
22 documentary evidence of ownership that is issued and signed by a
23 livestock identification brand inspector and given to persons who have
24 legally purchased cattle at a livestock auction or sale where a livestock
25 identification brand inspection service is provided. The livestock
26 identification brand clearance shall give the name and address of sale or
27 auction where issued, the name of purchaser, the number and sex of
28 cattle, the brands or electronic identification, if any, and the location
29 on the cattle.

30 Sec. 17. Section 54-175, Reissue Revised Statutes of Nebraska, is
31 amended to read:

1 ~~54-175~~ Livestock identification Brand inspection area means that
2 portion of the State of Nebraska designated in section 54-1,109, where
3 physical or electronic livestock identification brand inspection is
4 mandatory.

5 Sec. 18. Section 54-176, Reissue Revised Statutes of Nebraska, is
6 amended to read:

7 ~~54-176~~ Livestock identification Brand inspector means a person
8 employed by the agency Nebraska Brand Committee, or some other authority
9 ~~brand inspection agency~~, inside or outside of the State of Nebraska, for
10 the purpose of identifying brands, marks, other approved individual
11 identifiers, or other identifying characteristics of livestock to
12 determine the existence of such brands, marks, other approved individual
13 identifiers, or identifying characteristics and from such determinations
14 attempt to establish correct and true ownership of such livestock, and
15 generally carry out the provisions and enforcement of all laws pertaining
16 to brands, livestock identification brand inspection, and associated
17 livestock laws.

18 Sec. 19. Section 54-175.01, Revised Statutes Cumulative Supplement,
19 2018, is amended to read:

20 ~~54-175.01~~ Livestock Brand inspection service area means all
21 Nebraska counties and areas of Nebraska counties contiguous with the
22 livestock identification brand inspection area designated by section
23 54-1,109.

24 Sec. 20. Section 54-184, Reissue Revised Statutes of Nebraska, is
25 amended to read:

26 54-184 A mark means a physical or approved electronic identification
27 that includes, but is not limited to, visible characteristics on an
28 animal such as a natural, accidental, or manmade blemish that sets apart
29 a particular animal from all others. Such marks include, but are not
30 limited to, hair coloration, scars, brands, earmarks, ~~or~~ tattoos, or
31 approved electronic individual identifiers such as electronic tags, nose

1 prints, or retinal scans.

2 Sec. 21. Section 54-186, Reissue Revised Statutes of Nebraska, is
3 amended to read:

4 54-186 Open market means a livestock auction market sales barn,
5 market agency, stockyard, packing plant, or terminal market located
6 outside of the livestock identification brand inspection area or located
7 outside of this state where livestock identification brand inspection is
8 maintained either by employees of the agency Nebraska Brand Committee or
9 by some other state under a reciprocal agreement as allowed under the
10 federal Packers and Stockyards Act, 1921, 7 U.S.C. 181 et seq., as
11 amended.

12 Sec. 22. Permanent fence means a fence that meets the standards
13 described in section 34-115.

14 Sec. 23. Physical inspection means an inspection where an employee
15 of the agency is onsite and looking at brands or any other approved
16 evidence of ownership.

17 Sec. 24. Section 54-189, Revised Statutes Cumulative Supplement,
18 2018, is amended to read:

19 54-189 Satisfactory evidence of ownership consists of the brands,
20 tattoos, or marks on the livestock; approved electronic individual
21 identification devices, nose prints, retinal scans, DNA match, or any
22 other technology that identifies individual animals; point of origin of
23 livestock; the physical description of the livestock; the documentary
24 evidence, such as bills of sale, brand clearance, certificates of
25 inspection, breed registration certificates, animal health or testing
26 certificates, genomic testing certificates, recorded brand certificates,
27 purchase sheets, scale tickets, disclaimers of interest, affidavits,
28 court orders, security agreements, powers of attorney, canceled checks,
29 bills of lading, or tags; and such other facts, statements, or
30 circumstances that taken in whole or in part cause an inspector to
31 believe that proof of ownership is established.

1 Sec. 25. Section 54-191, Revised Statutes Cumulative Supplement,
2 2018, is amended to read:

3 54-191 (1) The Nebraska Livestock Identification Agency ~~Brand~~
4 ~~Committee~~ is hereby created. ~~The agency Beginning August 28, 2007, the~~
5 ~~brand committee~~ shall consist of five members appointed by the Governor.
6 At least three appointed members shall be active cattlemen and at
7 least one appointed member shall be an active cattle feeder. The
8 Secretary of State and the Director of Agriculture, or their designees,
9 shall be nonvoting, ex officio members of the agency ~~brand committee~~. The
10 appointed members shall be owners of cattle within the livestock
11 identification ~~brand~~ inspection area, shall reside within the livestock
12 identification ~~brand~~ inspection area, shall be owners of Nebraska-
13 recorded brands, and shall be persons whose principal business and
14 occupation is the raising or feeding of cattle within the livestock
15 identification ~~brand~~ inspection area.

16 (2) The members of the agency ~~brand committee~~ shall elect a
17 chairperson and vice-chairperson from among its appointed members during
18 the first meeting held after September 1 each calendar year. A member may
19 be reelected to serve as chairperson or vice-chairperson.

20 (3) The terms of the members shall be four-year, staggered terms,
21 beginning on August 28 of the year of initial appointment or
22 reappointment and concluding on August 27 of the year of expiration. At
23 the expiration of the term of an appointed member, the Governor shall
24 appoint a successor. If there is a vacancy in ~~on~~ the agency ~~brand~~
25 ~~committee~~, the Governor shall fill such vacancy by appointing a member to
26 serve during the unexpired term of the member whose office has become
27 vacant.

28 (4) The action of a majority of the members shall be deemed the
29 action of the agency ~~brand committee~~. No appointed member shall hold any
30 elective or appointive state or federal office while serving as a member
31 of the agency ~~brand committee~~. Each member and each agency ~~brand~~

1 ~~committee~~ employee who collects or who is the custodian of any funds
2 shall be bonded or insured as required under section 11-201. The
3 appointed members of the agency brand~~committee~~ shall be paid their
4 actual and necessary traveling expenses in attending meetings of the
5 agency brand~~committee~~ or in performing any other duties that are
6 prescribed in the Livestock Identification Brand Act or section 54-415,
7 as provided for in sections 81-1174 to 81-1177.

8 The purpose of the agency Nebraska Brand~~Committee~~ is to protect
9 Nebraska brand and livestock owners from the theft of livestock through
10 established brand recording, livestock identification brand inspection,
11 and livestock theft investigation.

12 Sec. 26. Section 54-192, Revised Statutes Supplement, 2019, is
13 amended to read:

14 54-192 (1) The agency Nebraska Brand~~Committee~~ shall employ such
15 employees as may be necessary to properly carry out the Livestock
16 Identification Brand Act and section 54-415, fix the salaries of such
17 employees, and make such expenditures as are necessary to properly carry
18 out such act and section. Employees of the agency brand~~committee~~ shall
19 receive mileage computed at the rate provided in section 81-1176. The
20 agency brand~~committee~~ shall select and designate a location or locations
21 where the agency brand~~committee~~ shall keep and maintain an office and
22 where records of the livestock identification brand inspection and
23 investigation proceedings, transactions, communications, brand
24 registrations, and official acts shall be kept.

25 (2) The agency brand~~committee~~ shall employ an executive director
26 who shall be the agency brand~~committee~~ head for administrative purposes.
27 The executive director shall keep a record of all proceedings,
28 transactions, communications, and official acts of the agency brand
29 ~~committee~~, shall be custodian of all records of the agency brand
30 ~~committee~~, and shall perform such other duties as may be required by the
31 agency brand~~committee~~. The executive director shall call a meeting at

1 the direction of the chairperson of the agency brand ~~committee~~, or in his
2 or her absence the vice-chairperson, or upon the written request of two
3 or more members of the agency brand ~~committee~~. The executive director
4 shall have supervisory authority to direct and control all full-time and
5 part-time employees of the agency to allow brand ~~committee~~. This
6 ~~authority allows~~ the executive director to hire employees as are needed
7 on an interim basis subject to approval or confirmation by the agency
8 ~~brand committee~~ for regular employment. The executive director may place
9 employees on probation and may discharge an employee.

10 (3) The agency brand ~~committee~~ shall employ a chief investigator who
11 shall report to the executive director. The chief investigator shall meet
12 the qualifications of an investigator as defined in section 54-182. Under
13 the direction of the executive director, the chief investigator shall be
14 chief of field operations and supervise agency brand ~~committee~~
15 investigators and inspectors.

16 (4) The agency brand ~~committee~~ shall employ a brand recorder who
17 shall be responsible for the processing of all applications for new
18 livestock brands, the transfer of ownership of existing livestock brands,
19 the maintenance of accurate and permanent records relating to livestock
20 brands, and such other duties as may be required by the agency brand
21 ~~committee~~.

22 (5) If any employee of the agency brand ~~committee~~ after having been
23 disciplined, placed on probation, or having had his or her services
24 terminated desires to have a hearing before the entire agency brand
25 ~~committee~~, such a hearing shall be granted as soon as is practicable and
26 convenient for all persons concerned. The request for such a hearing
27 shall be made in writing by the employee alleging the grievance and shall
28 be directed to the executive director. After hearing all testimony
29 surrounding the grievance of such employee, the agency brand ~~committee~~,
30 at its discretion, may approve, rescind, nullify, or amend all actions as
31 previously taken by the executive director.

1 Sec. 27. Section 54-193, Reissue Revised Statutes of Nebraska, is
2 amended to read:

3 54-193 The agency ~~Nebraska Brand Committee~~ shall periodically have
4 published in book form, electronic medium, or such other method
5 prescribed by the committee a list of all brands recorded with the agency
6 ~~brand committee~~ at the time of such publication. Such publication may be
7 supplemented from time to time. The publication shall contain a facsimile
8 of all recorded brands, together with the owner's name and post office
9 address, and shall be arranged in convenient form for reference. The
10 agency brand committee shall send, without any charge, the publication as
11 required by section 51-413 to the Nebraska Publications Clearinghouse and
12 shall provide the publication to each inspector of record and to the
13 county sheriff of each county in the State of Nebraska, which shall be
14 kept as a matter of public record. The publication may be sold to the
15 general public for a price equal to or less than the actual cost of
16 production.

17 Sec. 28. Section 54-194, Reissue Revised Statutes of Nebraska, is
18 amended to read:

19 54-194 The executive director of the agency ~~Nebraska Brand Committee~~
20 or the chairperson of the agency brand committee shall have the authority
21 to sign all certificates and other documents that may by law require
22 certification by signature. Such documents shall include, but not be
23 limited to, new brand certificates, brand transfer certificates,
24 duplicate brand certificates, and brand renewal receipts. A facsimile of
25 the agency brand committee seal and the signature of the brand recorder
26 shall also be placed on all brand certificates.

27 Sec. 29. Section 54-195, Revised Statutes Cumulative Supplement,
28 2018, is amended to read:

29 54-195 (1) The agency ~~Nebraska Brand Committee~~ may contract to
30 collect assessments made by any public, quasi-public, or private agency
31 or organization on the sale of cattle, beef, and beef products in

1 Nebraska by producers and importers of such cattle, beef, and beef
2 products. The agency brand ~~committee~~ may charge such agency or
3 organization for collection of the assessments. The charge for collection
4 of assessments shall be used to cover administrative costs of the agency
5 ~~brand committee~~, but such charge shall not exceed ten five percent of the
6 assessments collected.

7 (2) The agency brand ~~committee~~ may authorize and direct its
8 employees to disseminate or otherwise distribute various materials
9 promoting the cattle industry.

10 Sec. 30. Section 54-196, Reissue Revised Statutes of Nebraska, is
11 amended to read:

12 54-196 The agency Nebraska Brand Committee may adopt and promulgate
13 rules and regulations to carry out the Livestock Identification Brand Act
14 and section 54-415.

15 Sec. 31. Section 54-197, Reissue Revised Statutes of Nebraska, is
16 amended to read:

17 54-197 The Nebraska Livestock Identification Brand Inspection and
18 Theft Prevention Fund is created. Fees and money collected pursuant to
19 the Livestock Identification Brand Act and section 54-415 not otherwise
20 provided for in the act shall be remitted to the State Treasurer for
21 credit to the fund. The fund shall be used by the agency Nebraska Brand
22 ~~Committee~~ in the administration and enforcement of the act and section
23 54-415. All expenses and salaries provided for under such act or incurred
24 by reason thereof shall be paid out of the fund. Any money in the fund
25 available for investment shall be invested by the state investment
26 officer pursuant to the Nebraska Capital Expansion Act and the Nebraska
27 State Funds Investment Act.

28 Sec. 32. Section 54-198, Revised Statutes Cumulative Supplement,
29 2018, is amended to read:

30 54-198 (1) Any person may record a brand, which he or she has the
31 exclusive right to use in this state, and it is unlawful to use any brand

1 for branding any livestock unless the person using such brand has
2 recorded that brand with the agency ~~Nebraska Brand Committee~~. A brand is
3 a mark consisting of symbols, characters, numerals, or a combination of
4 such intended as a visual means of identification when applied to the
5 hide of an animal or another method of livestock identification approved
6 by rule and regulation of the agency ~~brand committee~~, including an
7 electronic device, nose print, retinal scan, DNA match, or other
8 technology used for livestock identification. Only a hot iron or freeze
9 brand or other method approved by the agency ~~brand committee~~ shall be
10 used to brand a live animal.

11 (2) A hot iron brand or freeze brand may be used for in-herd
12 identification purposes such as for year or production records. With
13 respect to hot iron brands used for in-herd identification, the numerals
14 0, 1, 2, 3, 4, 5, 6, 7, 8, and 9 in singular or triangular position are
15 reserved on both the right and left shoulder of all cattle, except that
16 such shoulder location for a single-number hot iron brand may be used for
17 year branding for in-herd identification purposes, and an alphabetical
18 letter may be substituted for one of the numerals used in a triangular
19 configuration for in-herd identification purposes. Hot iron brands used
20 for in-herd identification shall be used in conjunction with the recorded
21 hot iron brand and shall be on the same side of the animal as the
22 recorded hot iron brand. Freeze branding for in-herd identification may
23 be applied in any location and any configuration with any combination of
24 numerals or alphabetical letters.

25 (3) It shall be unlawful to knowingly maintain a herd containing one
26 or more animals which the possessor has branded, or caused to be branded,
27 in violation of this section or any other provision of the Livestock
28 Identification Brand Act.

29 Sec. 33. Section 54-199, Reissue Revised Statutes of Nebraska, is
30 amended to read:

31 54-199 (1) To record a brand, a person shall forward to the agency

1 ~~Nebraska Brand Committee~~ a facsimile or description of the brand desired
2 to be recorded, a written application, and a recording fee and research
3 fee established by the ~~agency brand committee~~. Such recording fee may
4 vary according to the number of locations and methods of brand requested
5 but shall not be more than one hundred dollars per application. Such
6 research fee shall be charged on all applications and shall not be more
7 than fifty dollars per application. The research fee is nonrefundable.

8 (2) For recording of visual brands, upon receipt of a facsimile of
9 the brand, an application, and the required fee, the agency brand
10 ~~committee~~ shall determine compliance with the following requirements:

11 (a) The brand shall be an identification mark that is applied to the
12 hide of a live animal by hot iron branding or by either hot iron branding
13 or freeze branding. The brand shall be on either side of the animal in
14 any one of three locations, the shoulder, ribs, or hip;

15 (b) The brand is not recorded under the name of any other person and
16 does not conflict with or closely resemble a prior recorded brand;

17 (c) The brand application specifies the left or right side of the
18 animal and the location on that side of the animal where the brand is to
19 be placed;

20 (d) The brand is not recorded as a trade name nor as the name of any
21 profit or nonprofit corporation, unless such trade name or corporation is
22 of record, in current good standing, with the Secretary of State; and

23 (e) The brand is, in the judgment of the agency brand committee,
24 legible, adequate, and of such a nature that the brand when applied can
25 be properly read and identified by employees of the agency brand
26 ~~committee~~.

27 (3) All visual brands shall be recorded as a hot iron brand only
28 unless a co-recording as a freeze brand or other approved method of
29 branding is requested by the applicant. The agency brand committee shall
30 approve co-recording a brand as a freeze brand unless the brand would not
31 be distinguishable from in-herd identification applied by freeze

1 branding.

2 (4) The agency brand ~~committee~~ may, by rule and regulation, provide
3 for the recording and use of livestock identification brands by
4 electronic device or other nonvisual method of livestock identification.
5 Any such method of livestock identification shall be approved ~~as a brand~~
6 only if it functions as a means of identifying ownership of livestock so
7 identified ~~branded~~ that is equal to, or superior to, visual methods of
8 livestock branding. Before approving any nonvisual method of
9 identification branding, the agency brand ~~committee~~ shall consider the
10 degree to which such method may be susceptible to error, failure, or
11 fraudulent alteration. Any rule or regulation shall be adopted only after
12 public hearing conducted in compliance with the Administrative Procedure
13 Act.

14 (5) If the facsimile, the description, or the application does not
15 comply with the requirements of this section, the agency brand ~~committee~~
16 shall not record such brand as requested but shall return the recording
17 fee to the forwarding person. The power of examination and rejection is
18 vested in the agency brand ~~committee~~, and if the agency brand ~~committee~~
19 determines that the application for a visual brand falls within the
20 category set out in subdivision (2)(e) of this section, it shall decide
21 whether or not a recorded brand shall be issued. The agency brand ~~committee~~
22 shall make such examination as promptly as possible. If the
23 brand is recorded, the ownership vests from the date of filing of the
24 application.

25 Sec. 34. Section 54-1,100, Revised Statutes Cumulative Supplement,
26 2018, is amended to read:

27 54-1,100 (1) A recorded brand is the property of the person causing
28 such record to be made and is subject to sale, assignment, transfer,
29 devise, and descent as personal property. Any instrument of writing
30 evidencing the sale, assignment, or transfer of a recorded brand shall be
31 effective upon its recording with the agency Nebraska Brand ~~Committee~~. No

1 such instrument shall be accepted for recording if the agency brand
2 ~~committee~~ has been duly notified of the existence of a lien or security
3 interest against livestock owned or thereafter acquired by the owner of
4 such brand by the holder of such lien or security interest. Written
5 notification from the holder of such lien or security interest that the
6 lien or security interest has been satisfied or consent from the holder
7 of such lien or security interest shall be required in order for the
8 agency brand ~~committee~~ to accept for recording an instrument selling,
9 assigning, or transferring such recorded brand. Except as provided in
10 subsection (2) of this section, the fee for recording such an instrument
11 shall be established by the agency brand ~~committee~~ and shall not be more
12 than forty dollars. Such instrument shall give notice to all third
13 persons of the matter recorded in the instrument and shall be
14 acknowledged by a notary public or any other officer qualified under law
15 to administer oaths.

16 (2) The owner of a recorded brand may lease the brand to another
17 person upon compliance with this subsection and subject to the approval
18 of the agency brand ~~committee~~. The lessee shall pay a filing fee
19 established by the agency brand ~~committee~~ not to exceed one hundred
20 dollars. The leased recorded brand may expire as agreed in the lease, but
21 in no event shall such leased recorded brand exceed the original
22 expiration date.

23 Sec. 35. Section 54-1,101, Reissue Revised Statutes of Nebraska, is
24 amended to read:

25 54-1,101 The owner of a recorded brand is entitled to one certified
26 copy of the record of such brand from the agency Nebraska Brand Committee
27 without charge. Additional certified copies of the record may be obtained
28 by anyone upon the payment of one dollar for each copy.

29 Copies of any other document of the agency brand ~~committee~~ may be
30 requested, and a fee of one dollar shall be collected for each page
31 copied. Only personnel authorized by the agency brand ~~committee~~ shall

1 make copies and collect such fees. The party requesting the copies is
2 responsible for payment of the fee and shall reimburse the agency brand
3 ~~committee~~ for the research time necessary to furnish the requested
4 documents at a rate of not less than twenty-five dollars ~~twelve~~ nor more
5 than forty ~~twenty~~ dollars per hour of research time. The rate shall be
6 reviewed and set annually by the agency brand ~~committee~~.

7 Sec. 36. Section 54-1,102, Reissue Revised Statutes of Nebraska, is
8 amended to read:

9 54-1,102 (1) A recorded brand may be applied by its owner until its
10 expiration date.

11 (2) On and after January 1, 1994, the expiration date of a recorded
12 brand is the last day of the calendar quarter of the renewal year as
13 designated by the agency Nebraska Brand Committee in its ~~the records of~~
14 ~~the brand committee~~.

15 (3) The agency brand ~~committee~~ shall notify every owner of a
16 recorded brand of its expiration date at least sixty days prior to the
17 expiration date, and the owner of the recorded brand shall pay a renewal
18 fee established by the agency brand ~~committee~~ which shall not be more
19 than two hundred fifty dollars and furnish such other information as may
20 be required by the agency brand ~~committee~~. The renewal fee is due and
21 payable on or before the expiration date and renews a recorded brand for
22 a period of four years regardless of the number of locations on one side
23 of an animal on which the brand is recorded. If any owner fails, refuses,
24 or neglects to pay the renewal fee by the expiration date, the brand
25 shall expire and be forfeited.

26 (4) The agency brand ~~committee~~ has the authority to hold an expired
27 brand for one year following the date of expiration. An expired brand may
28 be reinstated by the same owner during such one-year period upon return
29 of a brand application form and payment of the recording fee for such
30 brand established by the agency brand ~~committee~~ under section 54-199 plus
31 a penalty of five dollars for each month or part of a month which has

1 passed since the date of expiration. A properly reinstated brand may be
2 transferred to another person during such one-year period upon completion
3 of a transfer form, with a notarized bill of sale signed by the prior
4 owner attached to such transfer form.

5 Sec. 37. Section 54-1,103, Reissue Revised Statutes of Nebraska, is
6 amended to read:

7 54-1,103 (1) Cattle brands consisting of alphabetical letters A
8 through Z, and numbers 1, 2, 3, 4, 5, 6, 7, 8, and 9 on the left or right
9 jaw are reserved for assignment by the brand recorder, as designated by
10 the agency ~~Nebraska Brand Committee~~. The brand recorder shall not assign
11 such brands to any person in the State of Nebraska unless authorized by
12 the agency ~~brand committee~~, and it shall be unlawful for any person to
13 use such brands except as provided in subsection (2) of this section.

14 (2) Every person when spaying heifers, upon request of the owner
15 thereof, shall brand such heifers with the alphabetical letter O on the
16 left jaw and furnish the owner with a certificate that all heifers so
17 branded have been properly spayed by a licensed veterinarian. Permission
18 may be granted by the agency ~~brand committee~~ to state and federal animal
19 disease control agencies to require the use of the letters F, V, B, S,
20 and T and an open-end spade on either the right or left jaw of cattle in
21 a manner consistent with animal disease control laws.

22 Sec. 38. Section 54-1,104, Reissue Revised Statutes of Nebraska, is
23 amended to read:

24 54-1,104 There is a recorded brand consisting of the alphabetical
25 letter N on the entire right and left sides which is assigned to the
26 agency ~~Nebraska Brand Committee~~ to be used only by authorized personnel
27 of the agency ~~brand committee~~ to permanently identify livestock which are
28 suspected of having been stolen and may be used as evidence in any court
29 proceeding. It shall in no way signify that the agency ~~brand committee~~
30 (1) is the owner of livestock so branded or (2) claims ownership in any
31 livestock carrying such brand. It shall only be construed and intended

1 that livestock so branded are evidence or portions of evidence seized
2 relative to an alleged theft of livestock.

3 Sec. 39. Section 54-1,105, Revised Statutes Cumulative Supplement,
4 2018, is amended to read:

5 54-1,105 (1) Cattle branded with a Nebraska-recorded visual brand
6 shall be branded so that the recorded brand of the owner shows
7 distinctly.

8 (2) If the owners of recorded brands which conflict with or closely
9 resemble each other maintain their herds in close proximity to each
10 other, the agency Nebraska Brand Committee has the authority to decide,
11 after hearing as to which at least ten days' written notice has been
12 given, any dispute arising therefrom and to direct such change or changes
13 in the position or positions where such recorded brand or brands are to
14 be placed as will remove any confusion that might result from such
15 conflict or close resemblance.

16 Sec. 40. Section 54-1,106, Reissue Revised Statutes of Nebraska, is
17 amended to read:

18 54-1,106 A person who brings livestock into the State of Nebraska
19 for grazing purposes in any county of the this state for grazing purposes
20 which are already branded shall provide the agency Nebraska Brand
21 Committee with a statement of the brands of such livestock. Failure to
22 comply with this section renders the violating person liable for all
23 damages resulting from such failure.

24 Sec. 41. Section 54-1,107, Reissue Revised Statutes of Nebraska, is
25 amended to read:

26 54-1,107 A recorded brand is prima facie evidence of ownership of
27 livestock and is admissible into evidence in any court in this state if
28 the brand meets the requirements of and is recorded as provided in
29 section 54-199. Other documentary evidence such as bills of sale,
30 approved electronic identification devices, DNA matching, retinal scans,
31 nose prints, and other individual identification technologies or

1 certificates of brand clearance transferring title from an owner to
2 another party may also be introduced as evidence of livestock ownership
3 in any court in this state. The recording of instruments of writing
4 evidencing the sale, assignment, or transfer of a recorded brand gives
5 notice to all third persons of the matter recorded, and certified copies
6 are admissible in evidence without further foundation. In all suits at
7 law or in equity, in any criminal proceedings, or when determining the
8 ownership of estrays wherein the title to livestock is an issue, the
9 certified copy of the record of a recorded brand or instrument of writing
10 evidencing sale, assignment, or transfer of a recorded brand is prima
11 facie evidence of the ownership of such livestock by the person
12 possessing such livestock.

13 Sec. 42. Section 54-1,108, Revised Statutes Cumulative Supplement,
14 2018, is amended to read:

15 54-1,108 (1)(a) (1) All physical brand inspections provided for in
16 the Livestock Identification Brand Act or section 54-415 shall be from
17 sunrise to sundown or during such other hours and under such conditions
18 as the agency Nebraska Brand Committee determines. A person requiring a
19 physical inspection shall give the agency forty-eight hours notice of
20 such physical inspection requirement. A fifty-dollar surcharge will be
21 charged if forty-eight hours' notice is not given.

22 (b) An electronic inspection may occur using electronic individual
23 identifiers including electronic identification devices, DNA matching,
24 nose prints, or retinal scans. Enrollment of electronic individual
25 identifiers with the agency may occur by providing acceptable
26 certification or evidence of ownership. Electronic inspection does not
27 require agency employees to be present. Random audits shall occur.

28 (c) When using hot iron or freeze brands for evidence of ownership,
29 a physical inspection shall be required.

30 (2)(a) A physical ~~A~~ inspection fee, established by the agency
31 ~~Nebraska Brand Committee~~, of not more than one dollar and ten cents per

1 head shall be charged for all cattle physically inspected in accordance
2 with the Livestock Identification Brand Act or section 54-415 or
3 physically inspected within the livestock identification brand inspection
4 area or livestock identification brand inspection service area by court
5 order or at the request of any bank, credit agency, or lending
6 institution with a legal or financial interest in such cattle, or at the
7 request of a neighboring livestock owner with missing cattle. Such fee
8 ~~may vary to encourage inspection to be performed at times and locations~~
9 ~~that reduce the cost of performing the inspection but shall otherwise be~~
10 ~~uniform~~. The inspection fee for court-ordered physical inspections shall
11 be paid from the proceeds of the sale of such cattle if ordered by the
12 court or by either party as the court directs. For other physical
13 inspections, the person requesting the physical inspection of such cattle
14 is responsible for the physical inspection fee. Inspections Brand
15 ~~inspections~~ requested by either a purchaser or seller of cattle located
16 within the livestock identification brand inspection service area shall
17 be provided upon the same terms and charges as physical brand inspections
18 performed within the livestock identification brand inspection area. If
19 stray cattle are identified as a result of the inspection, such cattle
20 shall be processed in the manner provided by section 54-415.

21 (b) An electronic inspection fee, established by the agency, of not
22 more than one dollar and ten cents per head shall be charged for all
23 cattle electronically inspected in accordance with the Livestock
24 Identification Act or section 54-415. The actual mileage incurred by the
25 livestock identification inspector to perform a physical inspection shall
26 be paid by the party requesting such physical A surcharge of not more
27 ~~than twenty dollars, as established by the brand committee, may be~~
28 ~~charged to cover travel expenses incurred by the brand inspector per~~
29 ~~inspection location when performing brand inspections. The surcharge~~
30 ~~shall be collected by the brand inspector and paid by the person~~
31 ~~requesting the inspection or the person required by law to have the~~

1 inspection.

2 (c) For physical Fees ~~for~~ inspections performed outside of the
3 livestock identification brand inspection area, in addition to the
4 inspection fee charged under ~~that are not provided for in~~ subdivision (a)
5 of this subsection, the agency shall charge and collect ~~shall be the~~
6 ~~inspection fee established in such subdivision plus~~ a fee to cover the
7 actual expense of performing the inspection, including mileage at the
8 rate established by the Department of Administrative Services and an
9 hourly rate, not to exceed forty ~~thirty~~ dollars per hour, for the travel
10 and inspection time incurred by the agency brand committee ~~to perform~~
11 such inspection. The agency brand committee shall charge and collect the
12 actual expense fee. Such fee shall apply to all physical inspections
13 performed outside the livestock identification brand ~~inspection area as~~
14 part of an investigation into known or alleged violations of the
15 Livestock Identification Brand ~~Act~~ and shall be charged against the
16 person committing the violation.

17 (3) Any person who has reason to believe that cattle were shipped
18 erroneously due to an inspection error during a physical brand ~~inspection~~
19 or electronic inspection may request a reinspection. The person making
20 such request shall be responsible for the expenses incurred as a result
21 of the reinspection unless the results of the reinspection substantiate
22 the claim of inspection error, in which case the agency brand committee
23 shall be responsible for the reinspection expenses.

24 Sec. 43. Section 54-1,109, Reissue Revised Statutes of Nebraska, is
25 amended to read:

26 54-1,109 The livestock identification brand ~~inspection area~~ of
27 Nebraska consists of the following land area of counties and parts
28 thereof: Arthur, Banner, Blaine, Box Butte, Boyd, Brown, Buffalo, Chase,
29 Cherry, Cheyenne, Custer, Dawes, Dawson, Deuel, Dundy, Franklin,
30 Frontier, part of the south half of section 1, township 3 north, range
31 21, on railroad right-of-way in the west part of Oxford Town called

1 Burlington addition in Furnas, Garden, Garfield, Gosper, Grant, Greeley,
2 all of lots 1, 7, and 8 in block 48 in original town of Grand Island, and
3 all of the southeast quarter lying south of the Union Pacific Railroad
4 Company's right-of-way in section 24, township 11 north, range 10, in
5 Hall, Harlan, Hayes, Hitchcock, Holt, Hooker, Howard, Kearney, Keith,
6 Keya Paha, Kimball, all of Knox except Eastern, Dolphin, Dowling,
7 Columbia, Morton, Peoria, Addison, Herrick, Frankfort, and Lincoln
8 townships, Lincoln, Logan, Loup, McPherson, Morrill, Perkins, Phelps, Red
9 Willow, Rock, Scotts Bluff, Sheridan, Sherman, Sioux, Thomas, Valley, the
10 existing livestock auction markets in Blue Hill, all of lots 1 to 6, and
11 lots 7 and 8, except twenty-two feet of the east side of lot 8, all in
12 block 6, original town of Blue Hill, and Red Cloud, part of lot A, Roats
13 subdivision to Red Cloud, lots 1 and 2 and the south one-half of block 32
14 in original town of Red Cloud, and all of annex lot 21, Red Cloud, in
15 Webster, and all of Wheeler.

16 Sec. 44. Section 54-1,110, Revised Statutes Cumulative Supplement,
17 2018, is amended to read:

18 54-1,110 (1) Except as provided in subsections (2) and (3) of this
19 section, no person shall move, in any manner, cattle from a point within
20 the livestock identification brand inspection area to a point outside the
21 livestock identification brand inspection area unless such cattle first
22 have a physical or electronic brand inspection by the agency Nebraska
23 Brand Committee and a certificate of inspection is issued. A copy of such
24 certificate shall accompany the cattle and shall be retained by all
25 persons moving such cattle as a permanent record.

26 (2) Cattle in a registered feedlot registered under sections
27 54-1,120 to 54-1,122 are not subject to the livestock identification
28 brand inspection of subsection (1) of this section. Possession by the
29 shipper or trucker of a shipping certificate from the registered feedlot
30 constitutes compliance if the cattle being shipped are as represented on
31 such shipping certificate.

1 (3) If the line designating the livestock identification brand
2 inspection area divides a farm or ranch or lies between noncontiguous
3 parcels of land which are owned or operated by the same cattle owner or
4 owners, a permit may be issued, at the discretion of the agency Nebraska
5 ~~Brand Committee~~, to the owner or owners of cattle on such farm, ranch, or
6 parcels of land to move the cattle in and out of the livestock
7 identification brand inspection area without inspection. If the line
8 designating the livestock identification brand inspection area lies
9 between a farm or ranch and nearby veterinary medical facilities, a
10 permit may be issued, at the discretion of the agency brand committee, to
11 the owner or owners of cattle on such farm or ranch to move the cattle in
12 and out of the livestock identification brand inspection area without
13 inspection to obtain care from the veterinary medical facilities. The
14 agency brand committee shall issue initial permits only after receiving
15 an application which includes an application fee established by the
16 agency brand committee which shall not be more than fifty fifteen
17 dollars. The agency brand committee shall mail all current permit holders
18 an annual renewal notice, for January 1 renewal, which requires a renewal
19 fee established by the agency brand committee which shall not be more
20 than fifty fifteen dollars. If the permit conditions still exist, the
21 cattle owner or owners may renew the permit.

22 (4) No person shall sell any cattle knowing that the cattle are to
23 be moved, in any manner, in violation of this section. Proof of shipment
24 or removal of the cattle from the livestock identification brand
25 inspection area by the purchaser or his or her agent is prima facie proof
26 of knowledge that sale was had for removal from the livestock
27 identification brand inspection area.

28 (5) In cases of prosecution for violation of this section, venue may
29 be established in the county of origin or any other county through which
30 the cattle may pass in leaving the livestock identification brand
31 inspection area.

1 (6) A violation of this section is an infraction. Agency
2 investigators shall have the authority to write a citation, which shall
3 be waivable, to offenders in violation of this section. A fine under this
4 section shall not exceed two hundred dollars per offense, and with
5 respect to each animal shall constitute a separate offense. Violations
6 shall be charged in the county in which the violation occurred.

7 Sec. 45. Section 54-1,111, Revised Statutes Cumulative Supplement,
8 2018, is amended to read:

9 54-1,111 (1) Except as provided in subsection (2) of this section,
10 no person shall sell or trade any cattle located within the brand
11 inspection area, nor shall any person buy or purchase any such cattle
12 unless the cattle have been inspected for evidence of brands and
13 ownership and a certificate of inspection or livestock identification
14 ~~brand~~ clearance has been issued by the agency ~~Nebraska Brand Committee~~.
15 Any person selling such cattle shall present to the livestock
16 identification ~~brand~~ inspector a properly executed bill of sale,
17 livestock identification ~~brand~~ clearance, or other satisfactory evidence
18 of ownership which shall be filed with the original certificate of
19 inspection in the records of the agency ~~brand committee~~. Any time an a
20 ~~brand~~ inspection is required by law, a livestock identification ~~brand~~
21 investigator or livestock identification ~~brand~~ inspector may transfer
22 evidence of ownership of such cattle from a seller to a purchaser by
23 issuing a certificate of inspection.

24 (2) An A-brand inspection is not required:

25 (a) For cattle of a registered feedlot registered under sections
26 54-1,120 to 54-1,122 shipped for direct slaughter or sale on any terminal
27 market;

28 (b) For cattle that are:

29 (i) Transferred to a family corporation when all the shares of
30 capital stock of the corporation are owned by the husband, wife,
31 children, or grandchildren of the transferor and there is no

1 consideration for the transfer other than the issuance of stock of the
2 corporation to such family members; or

3 (ii) Transferred to a limited liability company in which membership
4 is limited to the husband, wife, children, or grandchildren of the
5 transferor and there is no consideration paid for the transfer other than
6 a membership interest in the limited liability company;

7 (c) When the change of ownership of cattle is a change in form only
8 and the surviving interests are in the exact proportion as the original
9 interests of ownership. When there is a change of ownership described in
10 subdivision (2)(b) or (c) of this section, an affidavit, on a form
11 prescribed by the agency Nebraska Brand Committee, signed by the
12 transferor and stating the nature of the transfer and the number of
13 cattle involved and the brands presently on the cattle, shall be filed
14 with the agency brand committee;

15 (d) For cattle sold or purchased for educational or exhibition
16 purposes or other recognized youth activities if a properly executed bill
17 of sale is exchanged and presented upon demand. Educational or exhibition
18 purpose means cattle sold or purchased for the purpose of being fed,
19 bred, managed, or tended in a program designed to demonstrate or instruct
20 in the use of various feed rations, the selection of individuals of
21 certain physical conformation or breeds, the measurement and recording of
22 rate of gain in weight or fat content of meat or milk produced, or the
23 preparation of cattle for the purpose of exhibition or for judging as to
24 quality and conformation;

25 (e) For calves under the age of thirty days sold or purchased at
26 private treaty if a bill of sale is exchanged and presented upon demand;
27 and

28 (f) For seedstock cattle raised by the seller and individually
29 registered with an organized breed association if a properly executed
30 bill of sale is exchanged and presented upon demand.

31 (3) A violation of this section is an infraction. Agency

1 investigators shall have the authority to write a citation, which shall
2 be waivable, to offenders in violation of this section. A fine under this
3 section shall not exceed two hundred dollars per offense, and with
4 respect to each animal shall constitute a separate offense. Violations
5 shall be charged in the county in which the violation occurred.

6 Sec. 46. Section 54-1,112, Reissue Revised Statutes of Nebraska, is
7 amended to read:

8 54-1,112 (1) Any person located within the livestock identification
9 ~~brand~~ inspection area who slaughters or has cattle slaughtered for sale
10 or distribution shall keep, in a book for that purpose, a true and
11 faithful record of all cattle purchased and slaughtered. Such record
12 shall also contain a description of the marks, brands, and electronic
13 identification devices, if present, and age, weight, and color of all
14 cattle slaughtered. Such record shall contain the date when the cattle
15 were slaughtered and a notation which sets forth by whom the cattle were
16 raised or from whom purchased.

17 (2) All persons who purchase hides shall keep a record of all hides
18 of cattle purchased by them, which record shall state the name or names
19 of the person or persons from whom purchased, their place of residence,
20 the date of purchase, and all marks and brands on the hide, and the
21 record shall at all times be open for inspection by any peace officer.

22 (3) A violation of this section is an infraction. Agency
23 investigators shall have the authority to write a citation, which shall
24 be waivable, to offenders in violation of this section. A fine under this
25 section shall not exceed two hundred dollars per offense, and with
26 respect to each animal shall constitute a separate offense. Violations
27 shall be charged in the county in which the violation occurred.

28 Sec. 47. Section 54-1,113, Reissue Revised Statutes of Nebraska, is
29 amended to read:

30 54-1,113 (1)(a) Inside of the livestock identification ~~brand~~
31 inspection area, no person shall sell or trade or offer for sale or trade

1 the carcass of a beef or veal, or any portion thereof, including the hide
2 of such carcass, unless a certificate of inspection is secured from a
3 livestock identification brand inspector. Such person shall exhibit the
4 certificate of inspection upon the demand of any person.

5 (b) Outside of the livestock identification brand inspection area,
6 no person shall sell or offer for sale, except as a butcher bonded under
7 section 54-1,114, the carcass of a beef or veal, or any portion thereof,
8 without first exhibiting the intact hide of the same and exposing the
9 brand upon the hide, if any, to the purchaser. A person selling or
10 offering for sale any such carcass of beef or veal shall preserve the
11 hide of the same for a period of fifteen days unless a certificate of
12 inspection is secured from a livestock identification brand inspector,
13 and such person shall exhibit the certificate of inspection upon the
14 demand of any person.

15 (2) No person shall kill for his, her, or its own use and
16 consumption any cattle for beef or veal without preserving the hide of
17 such animal intact with a complete unskinned tail attached thereto for a
18 period of not less than fifteen days unless a certificate of inspection
19 is secured from a livestock identification brand inspector, and such hide
20 shall be presented for inspection upon demand of any person.

21 (3) A violation of this section is an infraction. Agency
22 investigators shall have the authority to write a citation, which shall
23 be waivable, to offenders in violation of this section. A fine under this
24 section shall not exceed two hundred dollars per offense, and with
25 respect to each animal shall constitute a separate offense. Violations
26 shall be charged in the county in which the violation occurred.

27 Sec. 48. Section 54-1,114, Reissue Revised Statutes of Nebraska, is
28 amended to read:

29 54-1,114 (1) Except as provided in subsections (2) and (3) of this
30 section, no butcher, packer, or vendor engaged in the slaughter of cattle
31 within the livestock identification brand inspection area shall kill or

1 otherwise dispose of any cattle until a livestock identification brand
2 inspection is performed by the agency ~~Nebraska Brand Committee~~ on the
3 premises where such slaughter is to take place and until a certificate of
4 inspection from the agency brand committee is filed and is made a part of
5 such operator's permanent records. All such certificates of inspection
6 shall, upon demand, be displayed to any peace officer or to the agency
7 ~~brand committee~~ at any time.

8 (2) If cattle requiring inspection under this section are to be
9 slaughtered and are purchased by such butcher, packer, or vendor at a
10 regularly livestock identification-inspected livestock auction market
11 ~~brand-inspected sales barn~~ and are destined for direct slaughter upon
12 reaching their destination, the livestock identification brand inspector
13 at such livestock auction market sales barn shall be advised that such
14 cattle are destined for direct slaughter. The livestock auction market
15 ~~brand~~ inspector shall then issue a certificate of inspection for the
16 cattle, such certificate to indicate that the cattle are to go to direct
17 slaughter and that the cattle are not to be retained by such butcher,
18 packer, or vendor for longer than ninety-six hours prior to slaughter.
19 Cattle inspected at the point of origin by a livestock identification
20 ~~brand~~ inspector shall not require an additional livestock identification
21 ~~brand~~ inspection upon reaching a destination within the state if the
22 certificate of inspection designates that the cattle are to go directly
23 for slaughter and not to be retained by such butcher, packer, or vendor
24 longer than ninety-six hours prior to slaughter.

25 (3) If cattle required to be inspected under this section are
26 offered for slaughter and satisfactory evidence of ownership has not been
27 provided, the butcher, packer, or vendor may, with the approval of the
28 livestock identification brand inspector, slaughter the cattle and hold
29 the meat until such time as satisfactory evidence of ownership is
30 provided to the agency brand committee. The livestock identification
31 ~~brand~~ inspector shall provide the butcher, packer, or vendor with an

1 official notice advising the operator not to release the meat until
2 authorized by the agency brand committee. The agency brand committee may
3 provide for a cash bond to be posted with the executive director of the
4 agency brand committee so that the meat may be released prior to the
5 establishment of satisfactory evidence of ownership. The amount of the
6 bond shall be set at the approximate value of the cattle. When
7 satisfactory evidence of ownership has been provided by the person
8 offering the cattle for slaughter, the executive director shall authorize
9 the release of the meat or the return of the bond.

10 (4) A violation of this section is an infraction. Agency
11 investigators shall have the authority to write a citation, which shall
12 be waivable, to offenders in violation of this section. A fine under this
13 section shall not exceed two hundred dollars per offense, and with
14 respect to each animal shall constitute a separate offense. Violations
15 shall be charged in the county in which the violation occurred.

16 Sec. 49. Section 54-1,115, Revised Statutes Cumulative Supplement,
17 2018, is amended to read:

18 54-1,115 (1) Any person, other than the owner or the owner's
19 employee, using a motor vehicle or trailer to transport livestock or
20 carcasses over any land within the State of Nebraska not owned or rented
21 by such person or who is so transporting such livestock upon a highway,
22 public street, or thoroughfare within the State of Nebraska shall have in
23 his or her possession a livestock transportation authority form,
24 certificate of inspection, or shipping certificate from a registered
25 feedlot, authorizing such movement as to each head of livestock
26 transported by such vehicle.

27 (2) A livestock transportation authority form shall be in writing
28 and shall state the name of the owner of the livestock, the owner's post
29 office address, the place from which the livestock are being moved,
30 including the name of the ranch, if any, the destination, the name and
31 address of the carrier, the license number and make of motor vehicle to

1 which consigned, together with the number of livestock and a description
2 thereof including kind, sex, breed, color, and marks and electronic
3 identifiers, if any, and in the case of livestock shipments originating
4 within the livestock identification brand inspection area, the brands, if
5 there are any. The livestock transportation authority form shall be
6 signed by the owner of the livestock or the owner's authorized agent.

7 (3) Any peace officer, based upon probable cause to question the
8 ownership of the livestock being transported, may stop a motor vehicle or
9 motor vehicle and trailer and request exhibition of any livestock
10 transportation authority form or certificate required by this section.

11 (4) A violation of this section is an infraction. Agency
12 investigators shall have the authority to write a citation, which shall
13 be waivable, to offenders in violation of this section. A fine under this
14 section shall not exceed two hundred dollars per offense, and with
15 respect to each animal shall constitute a separate offense. Violations
16 shall be charged in the county in which the violation occurred.

17 Sec. 50. Section 54-1,116, Reissue Revised Statutes of Nebraska, is
18 amended to read:

19 54-1,116 (1) All livestock sold or otherwise disposed of shall be
20 accompanied by a properly executed bill of sale in writing or, for
21 cattle, a certificate of inspection. All owners of or persons possessing
22 livestock have a duty to exhibit, upon request of any person, the bill of
23 sale or other satisfactory evidence of ownership of the livestock.

24 (2) A violation of this section is an infraction. Agency
25 investigators shall have the authority to write a citation, which shall
26 be waivable, to offenders in violation of this section. A fine under this
27 section shall not exceed two hundred dollars per offense, and with
28 respect to each animal shall constitute a separate offense. Violations
29 shall be charged in the county in which the violation occurred.

30 Sec. 51. Section 54-1,117, Reissue Revised Statutes of Nebraska, is
31 amended to read:

1 54-1,117 No consignment of livestock within, entering into, or
2 passing through the livestock identification brand inspection area, after
3 having been inspected by a livestock identification brand inspector,
4 shall be permitted to intermingle with any other livestock located within
5 the livestock identification brand inspection area. If, at any time after
6 livestock identification brand inspection has been performed or a
7 certificate of inspection has been issued on any shipment of livestock,
8 the livestock become intermingled with other livestock located within the
9 livestock identification brand inspection area, the original livestock
10 identification brand inspection is void and before further movement of
11 the livestock out of the livestock identification brand inspection area
12 may be made, reinspection for identification of ~~brands~~ is required. A
13 livestock identification brand inspector may require reinspection if he
14 or she has reason to believe a consignment of livestock has become
15 intermingled.

16 Sec. 52. Section 54-1,118, Reissue Revised Statutes of Nebraska, is
17 amended to read:

18 54-1,118 If any livestock inspected under the Livestock
19 Identification Brand Act or section 54-415 is unbranded or bears a brand
20 or brands in addition to, or other than, the recorded brand or brands of
21 the shipper or seller, then the shipper or seller may be required to
22 establish his or her ownership of such livestock by exhibiting to the
23 agency Nebraska Brand Committee a bill of sale to such livestock or by
24 other satisfactory evidence of ownership. If ownership of the livestock
25 is not established, the livestock may be sold, and the selling agent who
26 sells such livestock shall hold the proceeds of the sale. If any shipper
27 or seller who has offered such livestock for sale refuses to accept the
28 bids offered, ownership must be established, or a cash bond posted with
29 the selling agent in an amount equal to the approximate value of the
30 livestock and payable to the agency brand committee, before such
31 livestock may be removed from the premises. When ownership has been

1 established, the cash bond shall be returned to the person who or which
2 posted it.

3 The shipper or seller of the livestock is required to establish
4 ownership of such livestock within sixty days after its sale. If such
5 shipper or seller establishes ownership of such livestock, the agency
6 ~~Nebraska Brand Committee~~ shall order the selling agent of such livestock
7 to pay the proceeds of sale to the shipper or seller. If such shipper or
8 seller fails to establish ownership within the sixty days, such livestock
9 shall be considered an estray and the agency ~~Nebraska Brand Committee~~
10 shall order the selling agent to pay the proceeds of sale over to the
11 agency ~~brand committee~~. All funds that the agency ~~brand committee~~
12 receives from the sale of any estray shall be placed in a separate
13 custodial fund known as the estray fund. The agency ~~brand committee~~ shall
14 determine the ownership of estrays that originate within the livestock
15 identification ~~brand~~ inspection area. Such funds shall be disposed of in
16 the manner provided in section 54-415.

17 Sec. 53. Section 54-1,119, Revised Statutes Cumulative Supplement,
18 2018, is amended to read:

19 54-1,119 (1) Any livestock auction market, whether within or outside
20 of the state, or any meat packing plant which maintains livestock
21 identification ~~brand~~ inspection under the supervision of the agency
22 ~~Nebraska Brand Committee~~ and under such rules and regulations as are
23 specified by the United States Department of Agriculture, may be
24 designated by the agency ~~brand committee~~ as an open market.

25 (2) When cattle originating from within the livestock identification
26 ~~brand~~ inspection area are consigned for sale to any commission company at
27 any open market designated as such by the agency ~~Nebraska Brand Committee~~
28 where livestock identification ~~brand~~ inspection is maintained, no
29 livestock identification ~~brand~~ inspection is required at the point of
30 origin but is required at the point of destination unless the point of
31 origin is a registered feedlot. If cattle are consigned to a commission

1 company at an open market, the carrier transporting the cattle shall not
2 allow the owner, shipper, or party in charge to change the billing to any
3 point other than the commission company at the open market designated on
4 the original billing, unless the carrier secures from the agency brand
5 ~~committee~~ a certificate of inspection on the cattle so consigned. Any
6 cattle originating in a registered feedlot consigned to a commission
7 company at any terminal market destined for direct slaughter may be
8 shipped in accordance with rules and regulations governing registered
9 feedlots.

10 (3) Until the cattle are inspected for brands on the premises by the
11 agency Nebraska Brand Committee, no person shall sell or cause to be sold
12 or offer for sale (a) any cattle at a livestock auction market located
13 within the livestock identification brand inspection area or at a farm or
14 ranch sale located within the livestock identification brand inspection
15 area or (b) any cattle originating within the livestock identification
16 ~~brand~~ inspection area consigned to an open market.

17 Sec. 54. Section 54-1,120, Revised Statutes Cumulative Supplement,
18 2018, is amended to read:

19 54-1,120 (1) Any person who operates a cattle feeding operation
20 located within the livestock identification brand inspection area may
21 make application to the agency Nebraska Brand Committee for registration
22 as a registered feedlot. The application form shall be prescribed by the
23 agency brand committee and shall be made available by the executive
24 director of the agency brand committee for such this purpose upon written
25 request. If the applicant is an individual, the application shall include
26 the applicant's social security number. After the agency brand committee
27 has received a properly completed application, an agent of the agency
28 ~~brand committee~~ shall within thirty days make an investigation to
29 determine if the following requirements are satisfied:

- 30 (a) The operator's feedlot must be permanently fenced; and
31 (b) The operator must commonly practice feeding cattle to finish for

1 slaughter.

2 If the application is satisfactory, and upon payment of an initial
3 registration fee by the applicant of not more than five hundred dollars,
4 the agency brand committee shall issue a registration number and
5 registration certificate valid for one year unless rescinded for cause.
6 If the registration is rescinded for cause, any registration fee shall be
7 forfeited by the applicant. The annual renewal fee shall be two hundred
8 fifty dollars ~~initial fee for a registered feedlot shall be an amount for~~
9 ~~a registered feedlot having one thousand head or less capacity and an~~
10 ~~equal amount for each additional one thousand head capacity, or part~~
11 ~~thereof, of such registered feedlot. For each subsequent year, the~~
12 ~~renewal fee for a registered feedlot shall be an amount for the first one~~
13 ~~thousand head or portion thereof of average annual inventory of cattle on~~
14 ~~feed of the registered feedlot and an equal amount for each additional~~
15 ~~one thousand head or portion thereof of average annual inventory of~~
16 ~~cattle on feed of the registered feedlot. The brand committee shall set~~
17 ~~the fee per one thousand head capacity or average annual inventory so as~~
18 ~~to correspond with the inspection fee provided under section 54-1,108.~~
19 The registration fee shall be paid on an annual basis.

20 (2)(a) A registered feedlot utilizing a grow yard within the
21 livestock identification inspection area may affiliate such grow yard
22 with such registered feedlot for the purpose of movement into the
23 registered feedlot without livestock identification inspection upon
24 entering the registered feedlot if the following requirements are
25 satisfied:

26 (i) One hundred percent of the cattle are in the management of the
27 registered feedlot under which a grow yard is affiliated;

28 (ii) The grow yard is permanently fenced; and

29 (iii) The cattle have been properly inspected upon entering the grow
30 yard as required in section 54-1,108.

31 (b) An annual enrollment fee of not more than fifty dollars shall be

1 paid by a registered feedlot on each grow yard affiliated with such
2 registered feedlot.

3 (3) ~~(2)~~ The agency brand committee may adopt and promulgate rules
4 and regulations for the operation of registered feedlots to assure that
5 livestock identification brand laws are complied with, that registered
6 feedlot shipping certificates are available, and that proper records are
7 maintained. Violation of sections 54-1,120 to 54-1,122 subjects the
8 operator to revocation or suspension of the feedlot registration issued.
9 Sections 54-1,120 to 54-1,122 shall not be construed as prohibiting the
10 operation of nonregistered feedlots.

11 (4) ~~(3)~~ Registered feedlots are subject to inspection at any
12 reasonable time at the discretion of the agency brand committee and its
13 authorized agents, and the operator shall show cattle purchase records or
14 certificates of inspection to cover all cattle in his or her feedlot.
15 Cattle having originated from such registered feedlots may from time to
16 time, at the discretion of the agency committee, be subject to a spot-
17 check physical inspection and audit at destination to enable the agency
18 ~~brand committee~~ to assure satisfactory compliance with the livestock
19 identification brand laws by the registered feedlot operator.

20 (5) ~~(4)~~ The operator of a registered feedlot shall keep cattle
21 inventory records. A form for such purpose shall be prescribed by the
22 agency brand committee. The agency brand committee and its employees may
23 from time to time make spot checks and audits of the registered feedlots
24 and the records of cattle on feed in such feedlots. A registered feedlot
25 shall be audited a minimum of four times per year. An audit shall be
26 performed for each seven thousand five hundred head count of average
27 annual capacity with a maximum of twelve audits performed per year. The
28 registered feedlot shall pay an audit fee of XX for each required audit
29 and the actual agency employee mileage costs incurred for the audit.

30 (6) ~~(5)~~ The agency brand committee may rescind the registration of
31 any registered feedlot operator who fails to cooperate or violates the

1 laws or rules and regulations of the agency brand-committee covering
2 registered feedlots.

3 Sec. 55. Section 54-1,121, Revised Statutes Cumulative Supplement,
4 2018, is amended to read:

5 54-1,121 Cattle sold or shipped from a registered feedlot, for
6 purposes other than direct slaughter or sale on any terminal market, are
7 subject to the livestock identification brand inspection under sections
8 54-1,110 to 54-1,119, and the seller or shipper shall bear the cost of
9 such inspection at the regular fee.

10 Any other cattle shipped from a registered feedlot are not subject
11 to livestock identification brand inspection at origin or destination,
12 but the shipper must have a shipping certificate from the registered
13 feedlot. The shipping certificate form shall be prescribed by the agency
14 ~~Nebraska Brand Committee~~ and shall show the registered feedlot operator's
15 name and registration number, date shipped, destination, agency receiving
16 the cattle, number of head in the shipment, and sex of the cattle. The
17 shipping certificate shall be completed in triplicate by the registered
18 feedlot operator at the time of shipment. One copy thereof shall be
19 delivered to the livestock identification brand inspector at the market
20 along with shipment, if applicable, one copy shall be sent to the agency
21 ~~brand-committee~~ by the tenth day of the following month, and one copy
22 shall be retained by the registered feedlot operator. If a shipping
23 certificate does not accompany a shipment of cattle from a registered
24 feedlot to any destination where livestock identification brand
25 inspection is maintained by the agency brand-committee, all such cattle
26 shall be subject to a livestock identification brand inspection and the
27 inspection fees and actual mileage costs to perform the inspection
28 surcharge provided under section 54-1,108 shall be charged for the
29 service.

30 Sec. 56. Section 54-1,122, Revised Statutes Cumulative Supplement,
31 2018, is amended to read:

1 54-1,122 Any cattle originating in a state that has a brand
2 inspection authority agency and which are accompanied by a certificate of
3 inspection or livestock identification brand clearance issued by such
4 authority agency may be moved directly from the point of origin into a
5 registered feedlot. Any cattle not accompanied by such a certificate of
6 inspection or livestock identification brand clearance or by satisfactory
7 evidence of ownership from states or portions of states not having
8 livestock identification brand inspection shall be inspected for
9 identifiers brands by the agency ~~Nebraska Brand Committee~~ within a
10 reasonable time after arrival at a registered feedlot, and the
11 appropriate inspection fee and mileage reimbursement, if applicable,
12 surcharge provided under section 54-1,108 shall be collected by the
13 livestock identification brand inspector at the time the inspection is
14 performed.

15 Sec. 57. Section 54-1,124, Reissue Revised Statutes of Nebraska, is
16 amended to read:

17 54-1,124 If any person willfully and knowingly brands, marks,
18 identifies, or causes to be branded, or marked, or identified, livestock
19 owned by another with the intent to deprive such owner of the livestock
20 or willfully and knowingly effaces, defaces, or obliterates any mark or
21 identifier upon any livestock owned by another with the intent to deprive
22 such owner of the livestock, such person is guilty of a Class III felony.

23 Sec. 58. Section 54-1,125, Reissue Revised Statutes of Nebraska, is
24 amended to read:

25 54-1,125 (1) Any person who offers as evidence of ownership for any
26 livestock sold, traded, or otherwise disposed of as provided in the
27 Livestock Identification Brand Act or section 54-415, any forged,
28 altered, or otherwise falsely prepared document or form, knowing the same
29 to be forged, altered, or otherwise falsely prepared, is guilty of the
30 Class IV felony of criminal possession of a forged instrument as defined
31 in section 28-604.

1 (2) Any person who forges, alters, or otherwise changes in any
2 manner any of the forms or documents which are satisfactory evidence of
3 ownership or any other form or document required by or provided for in
4 the Livestock Identification Brand Act or section 54-415, is guilty of
5 second degree forgery as defined in section 28-603, and shall be punished
6 in accordance with such section.

7 (3) Any person who knowingly misrepresents or misuses any
8 certificate of inspection or other satisfactory evidence of ownership is
9 guilty of a Class II misdemeanor.

10 Sec. 59. Section 54-1,126, Reissue Revised Statutes of Nebraska, is
11 amended to read:

12 54-1,126 Any person who violates any provision of the Livestock
13 Identification Brand Act is guilty of a Class II misdemeanor unless
14 another penalty is specifically provided for such violation.

15 Sec. 60. Section 54-1,127, Reissue Revised Statutes of Nebraska, is
16 amended to read:

17 54-1,127 Whenever any person is arrested for a violation of the
18 Livestock Identification Brand Act or section 54-415 punishable as a
19 misdemeanor, the arresting peace officer shall, except as otherwise
20 provided in this section, take the name and address of such person and
21 the license number of his or her motor vehicle. The peace officer shall
22 issue a summons or otherwise notify him or her in writing to appear at a
23 time and place to be specified in such summons or notice. Such time shall
24 be at least five days after such arrest, unless the person arrested
25 demands an earlier hearing. Such person, if he or she so desires, has a
26 right to an immediate hearing or a hearing within twenty-four hours at a
27 convenient hour, such hearing to be before a magistrate within the county
28 where such offense was committed. The peace officer shall thereupon, and
29 upon the giving by such person of his or her written promise to appear at
30 such time and place, forthwith release him or her from custody. Any
31 person refusing to give such written promise to appear shall be taken

1 immediately by the arresting peace officer before the nearest or most
2 accessible magistrate.

3 Sec. 61. Section 54-1,128, Revised Statutes Cumulative Supplement,
4 2018, is amended to read:

5 54-1,128 (1) An owner may brand cattle with a brand recorded or
6 registered in another state when:

7 (a) Cattle are purchased at a livestock auction market licensed
8 under the Livestock Auction Market Act or congregated at another location
9 approved by the agency Nebraska Brand Committee;

10 (b) The cattle will be imminently exported from Nebraska;

11 (c) The cattle are branded at the livestock auction market or other
12 approved location; and

13 (d) An out-of-state brand permit has been obtained prior to branding
14 the cattle.

15 (2) An application for an out-of-state brand permit shall be made to
16 a livestock identification brand inspector and shall include a
17 description of the brand, a written application, and a fee not to exceed
18 fifty dollars as determined by the agency Nebraska Brand Committee. A
19 livestock identification brand inspector shall evaluate and may approve
20 an out-of-state brand permit within a reasonable period of time.

21 (3) Cattle branded under an out-of-state brand permit shall remain
22 subject to all other livestock identification brand inspection
23 requirements under the Livestock Identification Brand Act.

24 (4) A violation of this section is an infraction. Agency
25 investigators shall have the authority to write a citation, which shall
26 be waivable, to offenders in violation of this section. A fine under this
27 section shall not exceed two hundred dollars per offense, and with
28 respect to each animal shall constitute a separate offense. Violations
29 shall be charged in the county in which the violation occurred.

30 Sec. 62. Section 54-1,129, Revised Statutes Cumulative Supplement,
31 2018, is amended to read:

1 54-1,129 The owner or operator of any livestock auction market, as
2 defined in section 54-1158, or packing plant located in any county
3 outside the livestock identification brand inspection area may
4 voluntarily elect to provide livestock identification brand inspection
5 for all cattle brought to such livestock auction market or packing plant
6 from within the livestock identification brand inspection area upon
7 compliance with sections 54-1,129 to 54-1,131.

8 Sec. 63. Section 54-1,130, Revised Statutes Cumulative Supplement,
9 2018, is amended to read:

10 54-1,130 The election provided for by section 54-1,129 shall be made
11 by (1) filing with the Secretary of State, in form to be prescribed by
12 the secretary, a written notice of such election and agreement to be
13 bound by section 54-1,131 and (2) posting conspicuously on the premises a
14 notice of the fact that livestock identification brand inspection is
15 provided at such livestock auction market or packing plant.

16 Sec. 64. Section 54-1,131, Revised Statutes Cumulative Supplement,
17 2018, is amended to read:

18 54-1,131 Inspection provided for in sections 54-1,129 to 54-1,131
19 shall be conducted in the manner established by the Livestock
20 Identification Brand Act. The owner or operator making such election may
21 be required to guarantee to the agency ~~Nebraska Brand Committee~~ that
22 inspection fees derived from such livestock auction market or packing
23 plant will be sufficient, in each twelve-month period, to pay the per
24 diem and mileage of the inspectors required and that he or she will
25 reimburse the agency ~~committee~~ for any deficit incurred in any such
26 twelve-month period. Such guarantee shall be secured by a corporate
27 surety bond, to be approved by the Secretary of State, in a penal sum to
28 be established by the agency ~~Nebraska Brand Committee~~.

29 Sec. 65. Section 54-415, Revised Statutes Cumulative Supplement,
30 2018, is amended to read:

31 54-415 (1) Any person taking up an estray within the livestock

1 identification brand inspection area or livestock identification brand
2 inspection service area shall report the same within seven days
3 thereafter to the Nebraska Livestock Identification Agency Brand
4 Committee. Any person taking up an estray in any other area of the state
5 shall report the same to the county sheriff of the county where the
6 estray was taken. If the animal is determined to be an estray by a
7 representative of the Nebraska Livestock Identification Agency Brand
8 Committee or the county sheriff, as the case may be, such animal shall,
9 as promptly as may be practicable, be sold through the most convenient
10 livestock auction market. The proceeds of such sale, after deducting the
11 selling expenses, shall be paid over to the Nebraska Livestock
12 Identification Agency Brand ~~Committee~~ to be placed in the estray fund
13 identified in section 54-1,118, if such estray was taken up within the
14 livestock identification brand inspection area or livestock
15 identification brand inspection service area, and otherwise to the
16 treasurer of the county in which such estray was taken up. During the
17 time such proceeds are impounded, any person taking up such estray may
18 file a claim with the Nebraska Livestock Identification Agency Brand
19 Committee or the county treasurer, as the case may be, for the expense of
20 feeding and keeping such estray while in his or her possession. When such
21 claim is filed, it shall be the duty of the Nebraska Livestock
22 Identification Agency Brand ~~Committee~~ or the county board, as the case
23 may be, to decide on the validity of the claim so filed and allow the
24 claim for such amount as may be deemed equitable. When the estray is
25 taken up within the livestock identification brand inspection area or
26 livestock identification brand inspection service area, such proceeds
27 shall be impounded for one year, unless ownership is determined sooner by
28 the Nebraska Livestock Identification Agency Brand ~~Committee~~, and if
29 ownership is not determined within such one-year period, the proceeds
30 shall be paid into the permanent school fund, less the actual expenses
31 incurred in the investigation and processing of the estray fund. Any

1 amount deducted as actual expenses incurred shall be deposited in the
2 Nebraska Livestock Identification Brand Inspection and Theft Prevention
3 Fund. When the estray is taken up outside the livestock identification
4 ~~brand~~ inspection area or livestock identification brand inspection
5 service area and ownership cannot be determined by the county board, the
6 county board shall then order payment of the balance of the sale proceeds
7 less expenses, to the permanent school fund. ~~If the brand committee or~~
8 ~~the county board determines ownership of an estray sold in accordance~~
9 ~~with this section by means of evidence of ownership other than the~~
10 ~~owner's recorded Nebraska brand, an amount not to exceed the actual~~
11 ~~investigative costs or expenses may be deducted from the proceeds of the~~
12 ~~sale.~~ Any person who violates this section is guilty of a Class II
13 misdemeanor. The definitions found in sections 54-172 to 54-190 and
14 sections 4, 5, 6, 9, 10, 11, 13, 16, 17, 18, 19, 22, and 23 of this act
15 apply to this section.

16 (2) Upon completion of any investigation under this section, the
17 agency shall determine its actual administrative costs incurred and
18 notify the owner or custodian of the estray in writing. Such owner or
19 custodian shall reimburse the agency its actual administrative costs
20 within thirty days after receipt of the written notice.

21 (3) Any person failing to reimburse the agency pursuant to
22 subsection (2) of this section shall be assessed a late fee of twenty-
23 five percent of the amount due.

24 Sec. 66. Section 54-789, Revised Statutes Cumulative Supplement,
25 2018, is amended to read:

26 54-789 (1) Except as otherwise provided in this section, individual
27 identification of cattle imported into Nebraska shall not be required if
28 (a) the cattle are identified by a registered brand and accompanied by an
29 official brand inspection certificate issued by the recognized brand
30 inspection or livestock identification authority of the state of origin
31 and (b) such cattle are imported directly from a mandatory brand

1 inspection area of any state.

2 (2) The Department of Agriculture may require cattle imported into
3 Nebraska to be identified by individual identification to enter the state
4 if the Director of Agriculture determines that:

5 (a) The state of origin recognized brand registration or brand
6 inspection procedures and documentation are insufficient to enable the
7 tracing of individual animals to the animal's herd of origin;

8 (b) Identification by brand alone is in conflict with a standard of
9 federal law or regulation regarding identification of cattle moved into
10 Nebraska; or

11 (c) The cattle originate from a location that is not a tuberculosis
12 accredited-free state or zone pursuant to 9 C.F.R. 77.7 or is not
13 designated a brucellosis Class Free or Class A state or area pursuant to
14 9 C.F.R. 78.41, as such regulations existed on January 1, 2013.

15 (3) At no time shall a registered brand inspection certificate be
16 used in lieu of a certificate of veterinary inspection.

17 (4) This section does not limit the authority of the State
18 Veterinarian to issue import orders imposing additional requirements for
19 animals imported into Nebraska from any state, country, zone, or other
20 area, including requirements relating to identification.

21 (5) For purposes of this section:

22 (a) Individual identification means a device or method approved by
23 the Department of Agriculture of uniquely identifying a specific animal
24 to its herd of origin and is not synonymous with official identification;
25 and

26 (b) Official identification means identifying an animal or group of
27 animals using devices or methods approved by the Veterinary Services
28 Office of the Animal and Plant Health Inspection Service of the United
29 States Department of Agriculture, including, but not limited to, official
30 tags, tattoos, and registered brands when accompanied by a certificate of
31 inspection from a recognized brand inspection authority.

1 Sec. 67. Section 54-1160.01, Revised Statutes Cumulative Supplement,
2 2018, is amended to read:

3 54-1160.01 The owner or operator of any livestock auction market
4 located in any county outside the livestock identification brand
5 inspection area created in section 54-1,109 may voluntarily elect to
6 provide livestock identification brand inspection as provided in sections
7 54-1,129 to 54-1,131.

8 Sec. 68. Section 60-3,135, Reissue Revised Statutes of Nebraska, is
9 amended to read:

10 60-3,135 (1)(a) Undercover license plates may be issued to federal,
11 state, county, city, or village law enforcement agencies and shall be
12 used only for legitimate criminal investigatory purposes. Undercover
13 license plates may also be issued to the Nebraska State Patrol, the Game
14 and Parks Commission, deputy state sheriffs employed by the Nebraska
15 Livestock Identification Agency Brand Committee and State Fire Marshal
16 for state law enforcement purposes, persons employed by the Tax
17 Commissioner for state revenue enforcement purposes, the Department of
18 Health and Human Services for the purposes of communicable disease
19 control, the prevention and control of those communicable diseases which
20 endanger the public health, the enforcement of drug control laws, or
21 other investigation purposes, the Department of Agriculture for special
22 investigative purposes, and the Insurance Fraud Prevention Division of
23 the Department of Insurance for investigative purposes. Undercover
24 license plates shall not be used on personally owned vehicles or for
25 personal use of government-owned vehicles.

26 (b) The director shall prescribe a form for agencies to apply for
27 undercover license plates. The form shall include a space for the name
28 and signature of the contact person for the requesting agency, a
29 statement that the undercover license plates are to be used only for
30 legitimate criminal investigatory purposes, and a statement that
31 undercover license plates are not to be used on personally owned vehicles

1 or for personal use of government-owned vehicles.

2 (2) The agency shall include the name and signature of the contact
3 person for the agency on the form and pay the fee prescribed in section
4 60-3,102. If the undercover license plates will be used for the
5 investigation of a specific event rather than for ongoing investigations,
6 the agency shall designate on the form an estimate of the length of time
7 the undercover license plates will be needed. The contact person in the
8 agency shall sign the form and verify the information contained in the
9 form.

10 (3) Upon receipt of a completed form, the director shall determine
11 whether the undercover license plates will be used by an approved agency
12 for a legitimate purpose pursuant to subsection (1) of this section. If
13 the director determines that the undercover license plates will be used
14 for such a purpose, he or she may issue the undercover license plates in
15 the form and under the conditions he or she determines to be necessary.
16 The decision of the director regarding issuance of undercover license
17 plates is final.

18 (4) The department shall keep records pertaining to undercover
19 license plates confidential, and such records shall not be subject to
20 public disclosure.

21 (5) The contact person shall return the undercover license plates to
22 the department if:

23 (a) The undercover license plates expire and are not renewed;

24 (b) The purpose for which the undercover license plates were issued
25 has been completed or terminated; or

26 (c) The director requests their return.

27 (6) A state agency, board, or commission that uses motor vehicles
28 from the transportation services bureau of the Department of
29 Administrative Services shall notify the bureau immediately after
30 undercover license plates have been assigned to the motor vehicle and
31 shall provide the equipment and license plate number and the undercover

1 license plate number to the bureau. The transportation services bureau
2 shall maintain a list of state-owned motor vehicles which have been
3 assigned undercover license plates. The list shall be confidential and
4 not be subject to public disclosure.

5 (7) The contact person shall be held accountable to keep proper
6 records of the number of undercover plates possessed by the agency, the
7 particular license plate numbers for each motor vehicle, and the person
8 who is assigned to the motor vehicle. This record shall be confidential
9 and not be subject to public disclosure.

10 Sec. 69. Section 60-480.01, Reissue Revised Statutes of Nebraska, is
11 amended to read:

12 60-480.01 (1)(a) Undercover drivers' licenses may be issued to
13 federal, state, county, city, or village law enforcement agencies and
14 shall be used only for legitimate criminal investigatory purposes.
15 Undercover drivers' licenses may also be issued to the Nebraska State
16 Patrol, the Game and Parks Commission, deputy state sheriffs employed by
17 the Nebraska Livestock Identification Agency ~~Brand Committee~~ and State
18 Fire Marshal for state law enforcement purposes, persons employed by the
19 Tax Commissioner for state revenue enforcement purposes, the Department
20 of Health and Human Services for the purposes of communicable disease
21 control, the prevention and control of those communicable diseases which
22 endanger the public health, the enforcement of drug control laws, or
23 other investigation purposes, the Department of Agriculture for special
24 investigative purposes, and the Insurance Fraud Prevention Division of
25 the Department of Insurance for investigative purposes. Undercover
26 drivers' licenses are not for personal use.

27 (b) The director shall prescribe a form for agencies to apply for
28 undercover drivers' licenses. The form shall include a space for the name
29 and signature of the contact person for the requesting agency, a
30 statement that the undercover drivers' licenses are to be used only for
31 legitimate criminal investigatory purposes, and a statement that

1 undercover drivers' licenses are not for personal use.

2 (2) The agency shall include the name and signature of the contact
3 person for the agency on the form and pay the fees prescribed in section
4 60-4,115. If the undercover drivers' licenses will be used for the
5 investigation of a specific event rather than for ongoing investigations,
6 the agency shall designate on the form an estimate of the length of time
7 the undercover drivers' licenses will be needed. The contact person in
8 the agency shall sign the form and verify the information contained in
9 the form.

10 (3) Upon receipt of a completed form, the director shall determine
11 whether the undercover drivers' licenses will be used by an approved
12 agency for a legitimate purpose pursuant to subsection (1) of this
13 section. If the director determines that the undercover drivers' licenses
14 will be used for such a purpose, he or she may issue the undercover
15 drivers' licenses in the form and under the conditions he or she
16 determines to be necessary. The decision of the director regarding
17 issuance of undercover drivers' licenses is final.

18 (4) The Department of Motor Vehicles shall keep records pertaining
19 to undercover drivers' licenses confidential, and such records shall not
20 be subject to public disclosure. Any person who receives information
21 pertaining to undercover drivers' licenses in the course of his or her
22 employment and who discloses any such information to any unauthorized
23 individual shall be guilty of a Class III misdemeanor.

24 (5) The contact person shall return the undercover drivers' licenses
25 to the Department of Motor Vehicles if:

26 (a) The undercover drivers' licenses expire and are not renewed;

27 (b) The purpose for which the undercover drivers' licenses were
28 issued has been completed or terminated;

29 (c) The persons for whom the undercover drivers' licenses were
30 issued cease to be employees of the agency; or

31 (d) The director requests their return.

1 Sec. 70. Section 81-1021, Revised Statutes Supplement, 2019, is
2 amended to read:

3 81-1021 (1) All motor vehicles acquired by the State of Nebraska
4 except any vehicle rented as a bureau fleet vehicle shall be indelibly
5 and conspicuously lettered, in plain letters of a contrasting color or
6 reflective material:

7 (a) On each side thereof with the words State of Nebraska and
8 following such words the name of whatever board, department, bureau,
9 division, institution, including the University of Nebraska or state
10 college, office, or other state expending agency of the state to which
11 the motor vehicle belongs; and

12 (b) On the back thereof with the words State of Nebraska.

13 (2) This section shall not apply to motor vehicles used or
14 controlled by:

15 (a) The Nebraska State Patrol, the Public Service Commission, the
16 Game and Parks Commission, deputy state sheriffs employed by the Nebraska
17 Livestock Identification Agency ~~Brand Committee~~ and State Fire Marshal
18 for state law enforcement purposes, inspectors employed by the Nebraska
19 Liquor Control Commission, and persons employed by the Tax Commissioner
20 for state revenue enforcement purposes, the exemption for state law
21 enforcement purposes and state revenue enforcement purposes being
22 confined strictly to the seven agencies specifically named;

23 (b) The Department of Health and Human Services or the Department of
24 Correctional Services for the purpose of apprehending and returning
25 escaped offenders or parole violators to facilities in the Department of
26 Correctional Services and transporting offenders and personnel of the
27 Department of Correctional Services and patients and personnel of the
28 Department of Health and Human Services who are engaged in off-campus
29 program activities;

30 (c) The Military Department;

31 (d) Vocational rehabilitation counselors and the Department of

1 Health and Human Services for the purposes of communicable disease
2 control, for the prevention and control of those communicable diseases
3 which endanger the public health, or used by the Department of Health and
4 Human Services in the enforcement of drug control laws or for other
5 investigation purposes;

6 (e) The Department of Agriculture for special investigative
7 purposes;

8 (f) The Nebraska Motor Vehicle Industry Licensing Board for
9 investigative purposes;

10 (g) The Insurance Fraud Prevention Division of the Department of
11 Insurance for investigative purposes; and

12 (h) The Department of Justice.

13 Sec. 71. Section 81-1316, Revised Statutes Supplement, 2019, is
14 amended to read:

15 81-1316 (1) All agencies and personnel of state government shall be
16 covered by sections 81-1301 to 81-1319 and shall be considered subject to
17 the State Personnel System, except the following:

18 (a) All personnel of the office of the Governor;

19 (b) All personnel of the office of the Lieutenant Governor;

20 (c) All personnel of the office of the Secretary of State;

21 (d) All personnel of the office of the State Treasurer;

22 (e) All personnel of the office of the Attorney General;

23 (f) All personnel of the office of the Auditor of Public Accounts;

24 (g) All personnel of the Legislature;

25 (h) All personnel of the court systems;

26 (i) All personnel of the Board of Educational Lands and Funds;

27 (j) All personnel of the Public Service Commission;

28 (k) All personnel of the Nebraska Livestock Identification Agency
29 ~~Brand Committee~~;

30 (l) All personnel of the Commission of Industrial Relations;

31 (m) All personnel of the State Department of Education;

1 (n) All personnel of the Nebraska state colleges and the Board of
2 Trustees of the Nebraska State Colleges;

3 (o) All personnel of the University of Nebraska;

4 (p) All personnel of the Coordinating Commission for Postsecondary
5 Education;

6 (q) All personnel of the Governor's Policy Research Office;

7 (r) All personnel of the Commission on Public Advocacy;

8 (s) All agency heads;

9 (t)(i) The Director of Behavioral Health of the Division of
10 Behavioral Health; (ii) the Director of Children and Family Services of
11 the Division of Children and Family Services; (iii) the Director of
12 Developmental Disabilities of the Division of Developmental Disabilities;
13 (iv) the Director of Medicaid and Long-Term Care of the Division of
14 Medicaid and Long-Term Care; and (v) the Director of Public Health of the
15 Division of Public Health;

16 (u) The chief medical officer established under section 81-3115, the
17 Administrator of the Office of Juvenile Services, and the chief executive
18 officers of the Beatrice State Developmental Center, Lincoln Regional
19 Center, Norfolk Regional Center, Hastings Regional Center, Grand Island
20 Veterans' Home, Norfolk Veterans' Home, Eastern Nebraska Veterans' Home,
21 Western Nebraska Veterans' Home, Youth Rehabilitation and Treatment
22 Center-Kearney, and Youth Rehabilitation and Treatment Center-Geneva;

23 (v) The chief executive officers of all facilities operated by the
24 Department of Correctional Services and the medical director for the
25 department appointed pursuant to section 83-4,156;

26 (w) All personnel employed as pharmacists, physicians,
27 psychiatrists, or psychologists by the Department of Correctional
28 Services;

29 (x) All personnel employed as pharmacists, physicians,
30 psychiatrists, psychologists, service area administrators, or facility
31 operating officers of the Department of Health and Human Services or the

1 Department of Veterans' Affairs;

2 (y) Deputies and examiners of the Department of Banking and Finance
3 and the Department of Insurance as set forth in sections 8-105 and
4 44-119, except for those deputies and examiners who remain in the State
5 Personnel System;

6 (z) All personnel of the Tax Equalization and Review Commission; and

7 (aa) The associate director of the Conservation Division of the
8 Nebraska State Historical Society and all personnel employed as a
9 Conservator I or Conservator II of the Conservation Division of the
10 Nebraska State Historical Society.

11 (2) At each agency head's discretion, up to the following number of
12 additional positions may be exempted from the State Personnel System,
13 based on the following agency size categories:

14	Number of Agency	Number of Noncovered
15	Employees	Positions
16	less than 25	0
17	25 to 100	1
18	101 to 250	2
19	251 to 500	3
20	501 to 1000	4
21	1001 to 2000	5
22	2001 to 3000	8
23	3001 to 4000	11
24	4001 to 5000	40
25	over 5000	50

26 The purpose of having such noncovered positions shall be to allow
27 agency heads the opportunity to recruit, hire, and supervise critical,
28 confidential, or policymaking personnel without restrictions from
29 selection procedures, compensation rules, career protections, and
30 grievance privileges. Persons holding the noncovered positions shall
31 serve at the pleasure of the agency head and shall be paid salaries set

1 by the agency head. An agency with over five thousand employees shall
2 provide notice in writing to the Health and Human Services Committee of
3 the Legislature when forty noncovered positions have been filled by the
4 agency head pursuant to this subsection.

5 (3) No changes to this section or to the number of noncovered
6 positions within an agency shall affect the status of personnel employed
7 on the date the changes become operative without their prior written
8 agreement. A state employee's career protections or coverage by personnel
9 rules and regulations shall not be revoked by redesignation of the
10 employee's position as a noncovered position without the prior written
11 agreement of such employee.

12 Sec. 72. Section 84-1005, Reissue Revised Statutes of Nebraska, is
13 amended to read:

14 84-1005 Subsection (2) of section 84-1001 shall not apply to (1)
15 employees of the University of Nebraska, the state colleges, the Nebraska
16 Livestock Identification Agency Brand Committee, or the Nebraska Oil and
17 Gas Conservation Commission, (2) the Superintendent of Law Enforcement
18 and Public Safety, his or her deputies and assistants, members of the
19 Nebraska State Patrol, or carrier enforcement officers designated under
20 section 60-1303, or (3) the employees of the Division of Motor Fuels of
21 the office of the Tax Commissioner who render service on such days and
22 maintain such hours as the Governor may designate, except that when
23 employees are required to work on any day designated as a paid holiday,
24 subsections (4) and (5) of section 84-1001 shall apply.

25 Sec. 73. Section 84-1411, Revised Statutes Supplement, 2019, is
26 amended to read:

27 84-1411 (1) Each public body shall give reasonable advance
28 publicized notice of the time and place of each meeting by a method
29 designated by each public body and recorded in its minutes. Such notice
30 shall be transmitted to all members of the public body and to the public.
31 Such notice shall contain an agenda of subjects known at the time of the

1 publicized notice or a statement that the agenda, which shall be kept
2 continually current, shall be readily available for public inspection at
3 the principal office of the public body during normal business hours.
4 Agenda items shall be sufficiently descriptive to give the public
5 reasonable notice of the matters to be considered at the meeting. Except
6 for items of an emergency nature, the agenda shall not be altered later
7 than (a) twenty-four hours before the scheduled commencement of the
8 meeting or (b) forty-eight hours before the scheduled commencement of a
9 meeting of a city council or village board scheduled outside the
10 corporate limits of the municipality. The public body shall have the
11 right to modify the agenda to include items of an emergency nature only
12 at such public meeting.

13 (2) A meeting of a state agency, state board, state commission,
14 state council, or state committee, of an advisory committee of any such
15 state entity, of an organization created under the Interlocal Cooperation
16 Act, the Joint Public Agency Act, or the Municipal Cooperative Financing
17 Act, of the governing body of a public power district having a chartered
18 territory of more than one county in this state, of the governing body of
19 a public power and irrigation district having a chartered territory of
20 more than one county in this state, of a board of an educational service
21 unit, of the Educational Service Unit Coordinating Council, of the
22 governing body of a risk management pool or its advisory committees
23 organized in accordance with the Intergovernmental Risk Management Act,
24 or of a community college board of governors may be held by means of
25 videoconferencing or, in the case of the Judicial Resources Commission in
26 those cases specified in section 24-1204, by telephone conference, if:

27 (a) Reasonable advance publicized notice is given;

28 (b) Reasonable arrangements are made to accommodate the public's
29 right to attend, hear, and speak at the meeting, including seating,
30 recordation by audio or visual recording devices, and a reasonable
31 opportunity for input such as public comment or questions to at least the

1 same extent as would be provided if videoconferencing or telephone
2 conferencing was not used;

3 (c) At least one copy of all documents being considered is available
4 to the public at each site of the videoconference or telephone
5 conference;

6 (d) At least one member of the state entity, advisory committee,
7 board, council, or governing body is present at each site of the
8 videoconference or telephone conference, except that a member of an
9 organization created under the Interlocal Cooperation Act that sells
10 electricity or natural gas at wholesale on a multistate basis, an
11 organization created under the Municipal Cooperative Financing Act, or a
12 governing body of a risk management pool or an advisory committee of such
13 organization or pool may designate a nonvoting designee, who shall not be
14 included as part of the quorum, to be present at any site; and

15 (e)(i) Except as provided in subdivision (2)(e)(ii) of this section,
16 no more than one-half of the state entity's, advisory committee's,
17 board's, council's, or governing body's meetings in a calendar year are
18 held by videoconference or telephone conference; or

19 (ii) In the case of an organization created under the Interlocal
20 Cooperation Act that sells electricity or natural gas at wholesale on a
21 multistate basis or an organization created under the Municipal
22 Cooperative Financing Act, such organization holds at least one meeting
23 each calendar year that is not by videoconferencing or telephone
24 conferencing.

25 Videoconferencing, telephone conferencing, or conferencing by other
26 electronic communication shall not be used to circumvent any of the
27 public government purposes established in the Open Meetings Act.

28 (3) A meeting of a board of an educational service unit, of the
29 Educational Service Unit Coordinating Council, of the governing body of
30 an entity formed under the Interlocal Cooperation Act, the Joint Public
31 Agency Act, or the Municipal Cooperative Financing Act, of the governing

1 body of a risk management pool or its advisory committees organized in
2 accordance with the Intergovernmental Risk Management Act, of a community
3 college board of governors, of the governing body of a public power
4 district, of the governing body of a public power and irrigation
5 district, or of the Nebraska Livestock Identification Agency Brand
6 ~~Committee~~ may be held by telephone conference call if:

7 (a) The territory represented by the educational service unit,
8 member educational service units, community college board of governors,
9 public power district, public power and irrigation district, Nebraska
10 Livestock Identification Agency Brand~~Committee~~, or member public
11 agencies of the entity or pool covers more than one county;

12 (b) Reasonable advance publicized notice is given which identifies
13 each telephone conference location at which there will be present: (i) A
14 member of the educational service unit board, council, community college
15 board of governors, governing body of a public power district, governing
16 body of a public power and irrigation district, Nebraska Livestock
17 Identification Agency Brand~~Committee~~, or entity's or pool's governing
18 body; or (ii) A nonvoting designee designated under subdivision (3)(f) of
19 this section;

20 (c) All telephone conference meeting sites identified in the notice
21 are located within public buildings used by members of the educational
22 service unit board, council, community college board of governors,
23 governing body of the public power district, governing body of the public
24 power and irrigation district, Nebraska Livestock Identification Agency
25 Brand~~Committee~~, or entity or pool or at a place which will accommodate
26 the anticipated audience;

27 (d) Reasonable arrangements are made to accommodate the public's
28 right to attend, hear, and speak at the meeting, including seating,
29 recordation by audio recording devices, and a reasonable opportunity for
30 input such as public comment or questions to at least the same extent as
31 would be provided if a telephone conference call was not used;

1 (e) At least one copy of all documents being considered is available
2 to the public at each site of the telephone conference call;

3 (f) At least one member of the educational service unit board,
4 council, community college board of governors, governing body of the
5 public power district, governing body of the public power and irrigation
6 district, Nebraska Livestock Identification Agency Brand Committee, or
7 governing body of the entity or pool is present at each site of the
8 telephone conference call identified in the public notice, except that a
9 member of an organization created under the Interlocal Cooperation Act
10 that sells electricity or natural gas at wholesale on a multistate basis,
11 an organization created under the Municipal Cooperative Financing Act, or
12 a governing body of a risk management pool or an advisory committee of
13 such organization or pool may designate a nonvoting designee, who shall
14 not be included as part of the quorum, to be present at any site;

15 (g) The telephone conference call lasts no more than five hours; and

16 (h) No more than one-half of the board's, council's, governing
17 body's, committee's, entity's, or pool's meetings in a calendar year are
18 held by telephone conference call, except that:

19 (i) The governing body of a risk management pool that meets at least
20 quarterly and the advisory committees of the governing body may each hold
21 more than one-half of its meetings by telephone conference call if the
22 governing body's quarterly meetings are not held by telephone conference
23 call or videoconferencing; and

24 (ii) An organization created under the Interlocal Cooperation Act
25 that sells electricity or natural gas at wholesale on a multistate basis
26 or an organization created under the Municipal Cooperative Financing Act
27 may hold more than one-half of its meetings by telephone conference call
28 if the organization holds at least one meeting each calendar year that is
29 not by videoconferencing or telephone conference call.

30 Nothing in this subsection shall prevent the participation of
31 consultants, members of the press, and other nonmembers of the governing

1 body at sites not identified in the public notice. Telephone conference
2 calls, emails, faxes, or other electronic communication shall not be used
3 to circumvent any of the public government purposes established in the
4 Open Meetings Act.

5 (4) The secretary or other designee of each public body shall
6 maintain a list of the news media requesting notification of meetings and
7 shall make reasonable efforts to provide advance notification to them of
8 the time and place of each meeting and the subjects to be discussed at
9 that meeting.

10 (5) When it is necessary to hold an emergency meeting without
11 reasonable advance public notice, the nature of the emergency shall be
12 stated in the minutes and any formal action taken in such meeting shall
13 pertain only to the emergency. Such emergency meetings may be held by
14 means of electronic or telecommunication equipment. The provisions of
15 subsection (4) of this section shall be complied with in conducting
16 emergency meetings. Complete minutes of such emergency meetings
17 specifying the nature of the emergency and any formal action taken at the
18 meeting shall be made available to the public by no later than the end of
19 the next regular business day.

20 (6) A public body may allow a member of the public or any other
21 witness other than a member of the public body to appear before the
22 public body by means of video or telecommunications equipment.

23 Sec. 74. Original sections 33-151, 54-173, 54-174, 54-175, 54-176,
24 54-180, 54-182, 54-183, 54-184, 54-186, 54-193, 54-194, 54-196, 54-197,
25 54-199, 54-1,101, 54-1,102, 54-1,103, 54-1,104, 54-1,106, 54-1,107,
26 54-1,109, 54-1,112, 54-1,113, 54-1,114, 54-1,116, 54-1,117, 54-1,118,
27 54-1,124, 54-1,125, 54-1,126, 54-1,127, 60-3,135, 60-480.01, and 84-1005,
28 Reissue Revised Statutes of Nebraska, sections 54-170, 54-171, 54-172,
29 54-175.01, 54-179, 54-189, 54-191, 54-195, 54-198, 54-1,100, 54-1,105,
30 54-1,108, 54-1,110, 54-1,111, 54-1,115, 54-1,119, 54-1,120, 54-1,121,
31 54-1,122, 54-1,128, 54-1,129, 54-1,130, 54-1,131, 54-415, 54-789, and

1 54-1160.01, Revised Statutes Cumulative Supplement, 2018, and sections
2 54-192, 81-1021, 81-1316, and 84-1411, Revised Statutes Supplement, 2019,
3 are repealed.