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the language now bracketed in the official NCCUSL text. The rights of the beneficiaries of the revocable trust whose settlor becomes incompetent would be comparable to the rights of devisees under a will of a testator who becomes incompetent. A settlor's power to revoke the trust would not be terminated by the settlor's incapacity, although the incapacity may affect the settlor's legal ability to exercise the power. Nebraska attempted to deal with these issues of a settlor's subsequent incapacity in LB 999 of 2004 by enacting nonuniform provisions, which became the last two sentences in subsection (a). These amendments would have repealed those two nonuniform sentences to conform subsection (a) to the alternative version of the official NCCUSL text. In Section 44 of the committee amendments, they would amend subsection (e) of Section 30-3867 to clarify the nature of the internal reference to the Nebraska Uniform Prudent Investor Act. Section 46 of the committee amendments would amend Section 30-387 (sic) and reflect two changes that would effectively be made in it by the UTC sections of the committee amendments. Number one, the repeal subdivision (b)(8) of the section in Section 37 of the committee amendments, mandatory provisions of the UTC, would make the notices specified in subdivisions (b)(2) and (3) of Section 30-3878 default requirements rather than mandatory requirements of the UTC. And the operative date would be deferred to January 1, 2006. The...and, number two, the amendments to...

PRESIDENT SHEEHY: One minute.

SENATOR MINES: ...subdivision (b)(9) of Section 30-3805 in Section 37 of the committee amendments, mandatory provisions of the UTC, would limit the applicability of subsection (a) of Section 30-3878 to qualified beneficiaries. In Section 46, the committee amendments would amend Section 30-3879 and repeal language in subdivision (b)(1), and Section 36 to 46 of the committee amendments would be subject to the emergency clause, an important aspect of these sections, in order to minimize the gap between January 1, 2005, the operative date of the NUTC, and the time these sections would become effective. It's not intended that there would be adverse legal consequences arising from this short time gap. Thank you, Mr. President.