

**ONE HUNDRED FIRST LEGISLATURE - SECOND SESSION - 2010**  
**COMMITTEE STATEMENT**  
**LB703**

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**Hearing Date:** Wednesday January 20, 2010  
**Committee On:** Judiciary  
**Introducer:** Wightman  
**One Liner:** Change provisions relating to powers of attorney

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**Roll Call Vote - Final Committee Action:**  
Advanced to General File

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**Vote Results:**

**Aye:** 8 Senators Ashford, Christensen, Coash, Council, Lathrop, Lautenbaugh, McGill, Rogert

**Nay:**

**Absent:**

**Present Not Voting:**

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**Proponents:**

Sen. John Wightman  
Carl Sjulín  
Bob Hallstrom

**Representing:**

Introducer  
West Gate Bank  
Nebraska Bankers Association

**Opponents:**

**Representing:**

**Neutral:**

**Representing:**

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**Summary of purpose and/or changes:**

LB 703 would amend the following acts and sections of law:

- The Uniform Durable Power of Attorney Act contained in sections 30-2664 to 30-2672 of the Nebraska Statutes; and
- The Nebraska Short Form Act contained in sections 49-1501 to 49-1561 of the Nebraska Statutes.

By providing that an agent or attorney in fact under a power of attorney may now do the following as long as the power of attorney expressly grants authority to do so:

1. Create or change rights of survivorship; or
2. Create or change a beneficiary designation.

Finally, LB 703 would make clear that an agent or attorney in fact under a power of attorney, whether the power of attorney is durable or nondurable can create or change rights of survivorship and beneficiary designation as long as the power of attorney expressly grants such authority to the attorney or agent.

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Brad Ashford, Chairperson