

LEGISLATURE OF NEBRASKA
ONE HUNDRED FIFTH LEGISLATURE
SECOND SESSION

LEGISLATIVE BILL 807

FINAL READING

Introduced by Harr, 8; Blood, 3; Vargas, 7; Brewer, 43.

Read first time January 04, 2018

Committee: Government, Military and Veterans Affairs

- 1 A BILL FOR AN ACT relating to state government; to state findings; to
- 2 provide for replacement of statues in the National Statuary Hall of
- 3 the United States Capitol as prescribed; to create committees and
- 4 cash funds; to provide duties; and to declare an emergency.
- 5 Be it enacted by the people of the State of Nebraska,

1 Section 1. The Legislature finds and declares:

2 (1) In 1864, the United States Congress established the National
3 Statuary Hall Collection in the Old Hall of the House of Representatives
4 in the United States Capitol and authorized each state to contribute to
5 the hall collection two statues that represent important historical
6 figures of each state;

7 (2) Nebraska currently has on display in the National Statuary Hall
8 Collection statues of William Jennings Bryan and Julius Sterling Morton
9 given by the State of Nebraska in 1937;

10 (3) In 2000, the United States Congress enacted legislation
11 authorizing states to request that the Joint Committee on the Library of
12 Congress approve the replacement of statues the state had provided for
13 display in the hall collection;

14 (4)(a) Willa Cather is a significant historical and literary figure
15 from Red Cloud, Nebraska;

16 (b) Willa Cather immortalized Nebraska in such works as My Antonia
17 and O Pioneers!;

18 (c) Willa Cather won the 1923 Pulitzer Prize for her novel One of
19 Ours; and

20 (d) Willa Cather is worthy of recognition in the National Statuary
21 Hall; and

22 (5)(a) Ponca Chief Standing Bear is a significant historical and
23 civil rights figure from Nebraska's Niobrara River Valley region;

24 (b) Chief Standing Bear's epic return to his Nebraska homeland to
25 bury his son culminated in the historic court case, United States ex rel.
26 Crook v. Standing Bear, which took place in Omaha, Nebraska, in May 1879;

27 (c) The court case set the historic precedent that Chief Standing
28 Bear, as a Native American individual, was found to be a person under the
29 law; and

30 (d) Chief Standing Bear is worthy of recognition in the National
31 Statuary Hall.

1 Sec. 2. The Secretary of State shall submit to the United States
2 Architect of the Capitol for his or her review for completeness a written
3 request to approve the replacement of the statue of Julius Sterling
4 Morton currently on display in the National Statuary Hall Collection in
5 the United States Capitol with a statue of Willa Cather. The written
6 request shall request authorization to provide a new statue, a
7 description of the location in Nebraska where the replaced statue will be
8 displayed after it is transferred, and a copy of the Nebraska statute
9 authorizing such replacement. After such review, it is the intent of the
10 Legislature that the architect forward the request to the Joint Committee
11 on the Library of Congress for its approval or denial. If the request is
12 approved by the committee, the architect and the Willa Cather National
13 Statuary Hall Selection Committee created pursuant to section 3 of this
14 act, acting on behalf of the State of Nebraska, shall enter into an
15 agreement as provided in 2 U.S.C. 2132(b).

16 Sec. 3. (1) The Willa Cather National Statuary Hall Selection
17 Committee is created. The committee shall consist of members of the
18 Nebraska Hall of Fame Commission created pursuant to section 72-724.

19 (2) Upon approval by the Joint Committee on the Library of Congress
20 and pursuant to the agreement described in section 2 of this act, the
21 Willa Cather National Statuary Hall Selection Committee shall:

22 (a) Select a sculptor to create a statue of Willa Cather to be
23 placed in the National Statuary Hall and review and approve the plans for
24 the statue; and

25 (b) Identify a method to obtain necessary funding to pay for all of
26 the following. All funds shall be privately donated and separately
27 managed. No state funds shall be expended for such purposes:

28 (i) The sculptor for designing and carving or casting the statue;

29 (ii) The design and fabrication of the pedestal;

30 (iii) The transportation of the statue and pedestal to the United
31 States Capitol;

- 1 (iv) The removal and transportation of the replaced statue;
2 (v) The temporary placement of the new statue in the Rotunda of the
3 United States Capitol for the unveiling ceremony;
4 (vi) The unveiling ceremony; and
5 (vii) Any other expenses that the committee determines are necessary
6 to incur.
- 7 (3) The committee has the authority to receive and disburse gifts.
8 (4) The committee shall execute the requirements of this section no
9 later than June 30, 2023.

10 Sec. 4. The Willa Cather National Statuary Hall Cash Fund is
11 created. The fund shall be administered by the Nebraska State Historical
12 Society. The fund shall consist of privately donated funds pursuant to
13 subdivision (2)(b) of section 3 of this act. Any money in the fund
14 available for investment shall be invested by the state investment
15 officer pursuant to the Nebraska Capital Expansion Act and the Nebraska
16 State Funds Investment Act.

17 Sec. 5. The Secretary of State shall submit to the United States
18 Architect of the Capitol for his or her review for completeness a written
19 request to approve the replacement of the statue of William Jennings
20 Bryan currently on display in the National Statuary Hall Collection in
21 the United States Capitol with a statue of Ponca Chief Standing Bear. The
22 written request shall request authorization to provide a new statue, a
23 description of the location in Nebraska where the replaced statue will be
24 displayed after it is transferred, and a copy of the Nebraska statute
25 authorizing such replacement. After such review, it is the intent of the
26 Legislature that the architect forward the request to the Joint Committee
27 on the Library of Congress for its approval or denial. If the request is
28 approved by the committee, the architect and the Chief Standing Bear
29 National Statuary Hall Selection Committee created pursuant to section 6
30 of this act, acting on behalf of the State of Nebraska, shall enter into
31 an agreement as provided in 2 U.S.C. 2132(b).

1 Sec. 6. (1) The Chief Standing Bear National Statuary Hall
2 Selection Committee is created. The committee shall consist of (a) a
3 representative of the Commission on Indian Affairs, selected by the
4 chairperson of the commission, (b) a member of the State-Tribal Relations
5 Committee of the Legislature, selected by the chairperson of the
6 committee, (c) the chairperson of the Lincoln Partners for Public Art
7 Development or its successor, and (d) the Historic Preservation Planner
8 of the City of Lincoln.

9 (2) Upon approval by the Joint Committee on the Library of Congress
10 and pursuant to the agreement described in section 5 of this act, the
11 Chief Standing Bear National Statuary Hall Selection Committee may:

12 (a) Select a sculptor to create a statue of Chief Standing Bear to
13 be placed in the National Statuary Hall and review and approve the plans
14 for the statue; and

15 (b) Identify a method to obtain necessary funding to pay for all of
16 the following. All funds shall be privately donated and separately
17 managed. No state funds shall be expended for such purposes:

18 (i) The sculptor for designing and carving or casting the statue;

19 (ii) The design and fabrication of the pedestal;

20 (iii) The transportation of the statue and pedestal to the United
21 States Capitol;

22 (iv) The removal and transportation of the replaced statue;

23 (v) The temporary placement of the new statue in the Rotunda of the
24 United States Capitol for the unveiling ceremony;

25 (vi) The unveiling ceremony; and

26 (vii) Any other expenses that the committee determines are necessary
27 to incur.

28 (3) The committee has the authority to receive and disburse gifts.

29 (4) The committee shall execute the requirements of this section no
30 later than June 30, 2023.

31 Sec. 7. The Chief Standing Bear National Statuary Hall Cash Fund is

1 created. The fund shall be administered by the Commission on Indian
2 Affairs. The fund shall consist of privately donated funds pursuant to
3 subdivision (2)(b) of section 6 of this act. Any money in the fund
4 available for investment shall be invested by the state investment
5 officer pursuant to the Nebraska Capital Expansion Act and the Nebraska
6 State Funds Investment Act.

7 Sec. 8. Since an emergency exists, this act takes effect when
8 passed and approved according to law.