

LEGISLATURE OF NEBRASKA
ONE HUNDRED EIGHTH LEGISLATURE
SECOND SESSION

LEGISLATIVE BILL 1300

FINAL READING

Introduced by Bostar, 29; at the request of the Governor.

Read first time January 16, 2024

Committee: Government, Military and Veterans Affairs

1 A BILL FOR AN ACT relating to law; to amend sections 14-137, 14-211,
2 14-217.02, 14-2104, 15-309, 19-412, 19-616, 23-1114, 23-1114.07,
3 70-624.02, 80-102, 81-503, and 81-830, Reissue Revised Statutes of
4 Nebraska, and sections 80-104 and 80-316, Revised Statutes
5 Cumulative Supplement, 2022; to adopt the Pacific Conflict Stress
6 Test Act, the Foreign Adversary Contracting Prohibition Act, the
7 Nebraska Nonprofit Security Grant Program Act, and the Wildland Fire
8 Response Act; to define terms; to provide security requirements for
9 chemical facilities; to provide for preemption; to create the
10 Commission on Asian American Affairs and provide for its membership,
11 powers, duties, and compensation; to change provisions relating to
12 salaries of governing bodies and require approval of registered
13 voters for increases; to change provisions relating to county
14 veterans service committees and certain veterans aid programs; to
15 provide duties for the State Fire Marshal and Homeland Security
16 Policy Group; to harmonize provisions; to provide operative dates;
17 to provide severability; to repeal the original sections; and to
18 declare an emergency.
19 Be it enacted by the people of the State of Nebraska,

1 Section 1. Sections 1 to 6 of this act shall be known and may be
2 cited as the Pacific Conflict Stress Test Act.

3 Sec. 2. The purpose of the Pacific Conflict Stress Test Act is to
4 prepare and secure the State of Nebraska in order to minimize the
5 disruptive impact of a potential conflict precipitated by foreign
6 adversaries against allies, democratic countries, and the United States
7 Armed Forces in the Pacific theater.

8 Sec. 3. For purposes of the Pacific Conflict Stress Test Act:

9 (1) Critical infrastructure means systems and assets, whether
10 physical or virtual, so vital to this state or the United States that the
11 incapacity or destruction of such systems and assets would have a
12 debilitating impact on state or national security, state or national
13 economic security, state or national public health, or any combination of
14 such matters. Critical infrastructure may be publicly or privately owned
15 and includes, but is not limited to:

16 (a) Fossil fuel production, storage, or delivery systems;

17 (b) Water supply, refinement, storage, or delivery systems;

18 (c) Telecommunications networks;

19 (d) Electrical power delivery systems, including power generation,
20 transmission, and distribution systems;

21 (e) Emergency services; and

22 (f) Transportation systems and services;

23 (2) Critical procurement means those acquisitions made by the state
24 or any agency of the state that are critical to the proper functioning of
25 critical infrastructure or to the health, safety, or security of the
26 State of Nebraska or the United States;

27 (3) Divestment means the sale, forfeiture, or otherwise contractual
28 end of any current or planned ownership or control of assets;

29 (4) Investment means any transfer of funds into any active or
30 passive, direct or indirect, structure which seeks to generate revenue or
31 accomplish any other gain, including nonmonetary gains;

1 (5)(a) Pacific conflict means a declared war or armed conflict
2 between the United States or any of its allies and another nation that
3 occurs in the land, sea, or air area of the Pacific Ocean and threatens
4 or could reasonably escalate to threaten the supply chains, critical
5 infrastructure, safety, or security of the State of Nebraska or the
6 United States.

7 (b) Pacific conflict includes a serious deterioration of diplomatic
8 ties or economic engagement between the United States or its allies and
9 another nation that threatens the status quo of Pacific trade, travel,
10 and military operations or exercises;

11 (6)(a) State-managed fund means any short-term or long-term
12 investment structure that is state-managed, state-run, state-controlled,
13 or otherwise overseen by the State of Nebraska, a state agency, a
14 political subdivision of this state, or any agency controlled by such a
15 political subdivision. This subdivision shall apply only to any fund that
16 is subject to the purview or direction of the state or applicable
17 political subdivision and is populated, wholly or in part, with state
18 funds, including, but not limited to, any such fund managed by a third-
19 party entity, such as a fiduciary.

20 (b) State-managed fund includes, but is not limited to, public
21 pension funds, public retirement funds, or other state-sponsored funds,
22 that are sponsored, maintained, or contributed to or required to be
23 contributed to by this state or any subsidiary of the state;

24 (7) State supply chain means the end-to-end process for shipping
25 goods, purchased by the state, to the State of Nebraska, beginning at the
26 point of origin through a point or points of distribution to the
27 destination; and

28 (8) State vendor supply chain means the end-to-end process for
29 shipping goods, purchased by the state from state vendors, to the
30 vendors, beginning at the point of origin through a point or points of
31 distribution to the destination.

1 Sec. 4. (1) The Department of Administrative Services shall conduct
2 a review of critical procurements purchased or supplied through a state
3 supply chain or state vendor supply chain and produce a report, which
4 shall be electronically submitted using a secure method to the Governor
5 by November 1, 2024.

6 (2) The report shall:

7 (a) Summarize the critical procurements produced in or by a foreign
8 adversary, a state-owned enterprise of a foreign adversary, a company
9 domiciled within a foreign adversary, or a company owned by a company
10 domiciled within a foreign adversary;

11 (b) Summarize the critical procurements manufactured in countries or
12 by companies at risk of disruption in the event of a Pacific conflict;

13 (c) Summarize the critical procurements sourced from any country or
14 company which utilizes Pacific supply chain processes at risk of
15 disruption in the event of a Pacific conflict;

16 (d) Assess the difficulty in identifying potential alternative
17 sourcing, if relevant; and

18 (e) Assess the level of risk to the State of Nebraska associated
19 with such a disruption in sourcing for each procurement that is
20 threatened in the event of a Pacific conflict.

21 (3) The Department of Administrative Services may contract with a
22 private consultant to assist with the review and report required under
23 this section, and such contract need not be competitively bid.

24 (4) Information contained in the report required under this section
25 is confidential. Unauthorized public disclosure of such confidential
26 information is a Class III misdemeanor.

27 Sec. 5. (1) The Nebraska Investment Council shall conduct an audit
28 of all state-managed funds and produce a report, which shall be
29 electronically submitted using a secure method to the Committee on
30 Pacific Conflict created under section 6 of this act and the Governor
31 within one hundred eighty days after the operative date of this section.

1 (2) The report shall:

2 (a) Summarize the investments at risk of substantially losing value
3 or being frozen, seized, or appropriated by foreign adversaries in the
4 event of a Pacific conflict;

5 (b) Summarize the investments in any arms industry of a foreign
6 adversary;

7 (c) Summarize the investments in state-owned enterprises of a
8 foreign adversary;

9 (d) Summarize the investments in companies domiciled within a
10 foreign adversary or owned by a company domiciled within a foreign
11 adversary; and

12 (e) Recommend strategies for the immediate and complete divestment
13 of the assets described in subdivisions (a) through (d) of this
14 subsection.

15 (3) Information contained in the report required under this section
16 is confidential. Unauthorized public disclosure of such confidential
17 information is a Class III misdemeanor.

18 Sec. 6. (1) It shall be the policy of the State of Nebraska to:

19 (a) Support the civilian and military command of the United States
20 and its efforts to promote and maintain prosperity, peace, and security
21 for America and its allies;

22 (b) Enhance the defensive posture of this state so as to protect
23 state citizens and assets and to contribute to the broader defensive
24 posture of the United States by reducing security vulnerabilities within
25 this state; and

26 (c) Exercise foresight and make reasonable preparations for a
27 potential regional or global conflict centered on the Pacific theater
28 which could involve attacks upon the United States and its allies in the
29 Pacific theater, which could involve asymmetrical attacks on the American
30 homeland, and which could cause the disruption or complete severing of
31 supply chains between this state and its vendors and the People's

1 Republic of China, the Republic of China, or other countries in the
2 Pacific theater.

3 (2) The Committee on Pacific Conflict is hereby created. The
4 committee shall consist of the following seven voting members:

5 (a) The Director of State Homeland Security, appointed pursuant to
6 section 81-830, who shall serve as chairperson of the committee;

7 (b) The Director of Administrative Services;

8 (c) The state investment officer;

9 (d) The Adjutant General; and

10 (e) Three individuals with applicable knowledge of the threats posed
11 to this state in the event of a Pacific conflict, including at least one
12 individual who represents an entity that is responsible for the operation
13 and maintenance of critical infrastructure in this state. Such
14 individuals shall be appointed by the Governor.

15 (3) The committee shall also include four members of the
16 Legislature, to be appointed by the Executive Board of the Legislative
17 Council. The legislative members shall be nonvoting members of the
18 committee.

19 (4) Appointments to the committee shall be made within sixty days
20 after the operative date of this section.

21 (5) The committee shall be authorized for an initial period of three
22 years.

23 (6) The first meeting of the committee shall be held within ninety
24 days after the operative date of this section.

25 (7) The committee shall meet no less than once every three months.
26 Additional meetings may be called at the will of the majority of the
27 voting members of the committee, and emergency meetings may be called at
28 the will of the chairperson of the committee or the Governor. In the
29 interest of state and national security, meetings of the committee shall
30 not be subject to the Open Meetings Act and the records and documents of
31 the committee shall not be considered public records for purposes of

1 sections 84-712 to 84-712.09.

2 (8) At the discretion of the committee, an advisory board may be
3 established and subject matter experts may be consulted to provide
4 expertise or collaborative research support.

5 (9) The committee is authorized to liaise with relevant federal
6 government authorities, authorities from other state governments, and
7 experts from research institutions for the purpose of obtaining
8 information that is useful for the committee's work.

9 (10) The committee is authorized to produce policy recommendations
10 for the State of Nebraska.

11 (11) The committee is authorized to conduct secure hearings or
12 briefings with critical infrastructure providers for the purpose of
13 understanding the threats, risks, and vulnerabilities posed to critical
14 infrastructure in the event of a Pacific conflict, including potential
15 mitigation or emergency response strategies.

16 (12) The Governor shall annually produce and publish a state threat
17 assessment no later than the day prior to the annual address made to the
18 Legislature by the Governor. The annual state threat assessment shall
19 provide an overview of the substantial threats to state or national
20 security, state or national economic security, state or national public
21 health, or any combination of such matters, occurring within and
22 threatening the State of Nebraska to the extent such information can be
23 provided and stored in a manner that meets national security standards.
24 The state threat assessment shall include summary nonconfidential
25 findings of the Committee on the Pacific Conflict. Such summary
26 nonconfidential findings shall include no information that would create
27 any risk to state critical infrastructure or other sensitive state
28 assets.

29 (13) The committee may, at the discretion of the committee and upon
30 an affirmative vote of five of the committee's seven voting members,
31 produce a confidential report that shall be kept in a secure location to

1 be determined by the Governor and which shall only be accessed with the
2 approval of the Governor. Such report shall contain information,
3 instructions, and other findings that the committee deems useful to
4 preserve for the elected leaders of the State of Nebraska.

5 Sec. 7. Sections 7 to 13 of this act shall be known and may be
6 cited as the Foreign Adversary Contracting Prohibition Act.

7 Sec. 8. The Legislature finds that:

8 (1) Dealings with commercial entities that are organized under the
9 laws of a foreign adversary or that have their principal place of
10 business within a foreign adversary tend to be less commercially sound
11 because such entities are unusually likely to be acting on noncommercial
12 motivations and carry increased political risk, including from United
13 States federal sanction authorities;

14 (2) When such a commercial entity is a state-owned entity, it
15 presents heightened concerns and threatens this state's security,
16 including by making accessible to the foreign adversary information about
17 the structure, operations, resources, and infrastructure of the
18 government of this state; and

19 (3) Dealings with such commercial entities, and especially state-
20 owned entities, threaten the privacy and security of residents of this
21 state, to the extent that they involve the personal information of such
22 residents.

23 Sec. 9. For purposes of the Foreign Adversary Contracting
24 Prohibition Act:

25 (1) Company means any sole proprietorship, organization,
26 association, corporation, partnership, joint venture, limited
27 partnership, limited liability partnership, limited liability company, or
28 other entity or business association that exists for the purpose of
29 making a profit, including all wholly owned subsidiaries, majority owned
30 subsidiaries, parent companies, or affiliates of any such entity or
31 business association;

1 (2) Foreign adversary means a foreign adversary as determined
2 pursuant to 15 C.F.R. 7.4;

3 (3) Owned in whole or in part means:

4 (a) For a publicly traded company, any share of ownership that
5 entails the ability to direct or influence the operations of the company,
6 the ability to appoint or discharge any board members, officers, or
7 directors, or any other rights beyond those available to a retail
8 investor holding an equivalent share of ownership; and

9 (b) For a privately held company, any share of ownership;

10 (4) Public entity means the state or any department, agency,
11 commission, or other body of state government, including publicly funded
12 institutions of higher education, any political subdivision of the state,
13 and any other public or private agency, person, partnership, corporation,
14 or business entity acting on behalf of any such public entity;

15 (5) Scrutinized company means:

16 (a) Any company organized under the laws of a foreign adversary or
17 having its principal place of business within a foreign adversary, and
18 any subsidiary of any such company;

19 (b) Any company owned in whole or in part or operated by the
20 government of a foreign adversary, an entity controlled by the government
21 of a foreign adversary, or any subsidiary or parent of any such company;
22 or

23 (c) Any company that sells to a public entity a final technology-
24 related product or service that originates with a company described in
25 subdivision (5)(a) or (b) of this section without incorporating that
26 product or service into another final product or service; and

27 (6) Technology-related product or service means a product or service
28 used for information systems, surveillance, light detection and ranging,
29 or communications.

30 Sec. 10. A scrutinized company shall not bid on, submit a proposal
31 for, or enter into, directly or indirectly through a third party, any

1 contract or contract renewal with any public entity for any technology-
2 related product or service.

3 Sec. 11. A public entity shall require a company that submits a bid
4 or proposal or enters into any contract or contract renewal with any
5 public entity for any technology-related product or service to certify:

6 (1) That the company is not a scrutinized company;

7 (2) That the company will not subcontract with any scrutinized
8 company for any aspect of performance of the contemplated contract; and

9 (3) That any products or services to be provided do not originate
10 with a scrutinized company.

11 Sec. 12. (1) No public entity shall enter into any contract or
12 contract renewal that would result in any state or local government funds
13 being transferred:

14 (a) To a scrutinized company in connection with any technology-
15 related product or service; or

16 (b) To any company in connection with any technology-related product
17 or service that originates with a scrutinized company.

18 (2) Notwithstanding subsection (1) of this section, a public entity
19 may enter into a contract for goods manufactured by a scrutinized company
20 if:

21 (a)(i) There is no other reasonable option for procuring such good;

22 (ii) The contract is preapproved by the Department of Administrative
23 Services; and

24 (iii) Not procuring such good would pose a greater threat to the
25 state than the threat associated with the good itself; or

26 (b) The purchasing entity is an electric supplier that is not out of
27 compliance with the Critical Infrastructure Protection requirements
28 issued by the North American Electric Reliability Corporation.

29 Sec. 13. (1) Any contract entered into in violation of the Foreign
30 Adversary Contracting Prohibition Act shall be null and void.

31 (2) Any scrutinized company that violates section 10 of this act or

1 that violates the certification provided pursuant to section 11 of this
2 act:

3 (a) Shall be liable for a civil penalty in an amount equal to the
4 highest of the following three amounts:

5 (i) Two hundred fifty thousand dollars;

6 (ii) Twice the amount of the contract for which a bid or proposal
7 was submitted; or

8 (iii) The amount of any losses suffered by the public entity as a
9 result of such violation; and

10 (b) Shall be ineligible to enter into any contract with any public
11 entity for a period of five years.

12 (3) The Attorney General may bring an action in any court of
13 competent jurisdiction against any person that violates the Foreign
14 Adversary Contracting Prohibition Act.

15 (4) If a public entity believes that a company has violated the
16 certification provided pursuant to section 11 of this act, the public
17 entity shall give such company notice of the alleged violation. The
18 company shall then have sixty days to respond to the notice. The public
19 entity shall make a final determination on whether a violation of such
20 certification has occurred within sixty days after receipt of the
21 response from the company. If the public entity determines that a
22 violation has occurred, the public entity may refer the matter to the
23 Attorney General.

24 (5) Any individual may act as a whistleblower and report suspected
25 violations of section 10 of this act or suspected violations of the
26 certification provided pursuant to section 11 of this act to the Attorney
27 General. If the reported violation results in a civil penalty under this
28 section, the whistleblower shall be entitled to a reward equal to thirty
29 percent of the civil penalty assessed.

30 Sec. 14. Sections 14 to 19 of this act shall be known and may be
31 cited as the Nebraska Nonprofit Security Grant Program Act.

1 Sec. 15. For purposes of the Nebraska Nonprofit Security Grant
2 Program Act:

3 (1) Agency means the Nebraska Emergency Management Agency;

4 (2) Equipment means security equipment installed on real property,
5 including any building or improvement, that is owned or leased by the
6 nonprofit organization, including reinforced doors and gates, perimeter
7 lighting, exterior and interior door locking systems, alarm systems,
8 camera-based security systems, access-control systems, blast-resistant
9 film for windows or shatter-resistant glass, lock-down systems, public-
10 address systems, high-intensity lighting and alarms, and inspection and
11 screening systems;

12 (3) Planning means those activities that are related to protecting a
13 facility, the people within the facility, and the people with access to
14 the facility and providing for their functional needs. The term includes
15 developing and enhancing a nonprofit organization's security plans and
16 protocols, emergency contingency plans, and evacuation or shelter-in-
17 place plans and the materials that are required to conduct planning
18 activities;

19 (4) Program means the Nebraska Nonprofit Security Grant Program
20 created in section 16 of this act;

21 (5)(a) Qualified nonprofit organization means an organization that:

22 (i) Is exempt from federal income taxes under section 501(c)(3) of
23 the Internal Revenue Code of 1986, including any nonprofit organization
24 created exclusively for religious purposes;

25 (ii) Is at high risk of a terrorist attack or at risk for hate
26 crimes or attacks because of the nonprofit organization's ideology,
27 beliefs, or mission; and

28 (iii)(A) Has applied for a federal nonprofit security grant and has
29 not received funding for the same year the applicant is applying for a
30 state grant under the program;

31 (B) Has been unable to apply for a federal nonprofit security grant;

1 or

2 (C) Has a documented barrier or hardship related to the application
3 for a federal nonprofit security grant; and

4 (b) Qualified nonprofit organization does not include:

5 (i) A hospital as defined in section 71-419;

6 (ii) A rural emergency hospital as defined in section 71-428.01; or

7 (iii) An institution of postsecondary education;

8 (6) Security personnel includes personnel who are contracted with or
9 employed by the nonprofit organization; and

10 (7) Training means training that addresses a specific security
11 threat or vulnerability. The term includes:

12 (a) Attendance and travel fees for training the nonprofit
13 organization's staff or members;

14 (b) Security training and exercises or drills, including active
15 shooter and shelter-in-place training, for the nonprofit organization's
16 staff, members, and visitors; and

17 (c) Training-related expenses, including supplies, materials, and
18 training equipment.

19 Sec. 16. (1) The Nebraska Nonprofit Security Grant Program is
20 created. The program shall be administered by the Nebraska Emergency
21 Management Agency.

22 (2) In order to receive a grant under the program, a qualified
23 nonprofit organization shall submit an application to the agency on a
24 form prescribed by the agency. The agency may accept an application
25 submitted to the federal government for a federal nonprofit security
26 grant instead of the state application prescribed by the agency.

27 (3) Grants may be issued to qualified nonprofit organizations to
28 reimburse such organizations for the costs of target hardening and other
29 safety and security projects intended to mitigate vulnerabilities
30 identified in a vulnerability assessment completed by the qualified
31 nonprofit organization or by a vendor with whom the qualified nonprofit

1 organization has contracted, including projects involving:

2 (a) Planning;

3 (b) Equipment;

4 (c) Training; or

5 (d) Security personnel.

6 (4) The agency may prescribe requirements for vulnerability
7 assessments and may allow other target hardening and safety and security
8 projects to qualify for grant funding in addition to those activities
9 described in subsection (3) of this section.

10 (5) The agency may begin issuing grants under the program on January
11 1, 2025.

12 (6) The agency shall establish a working group of stakeholders to
13 review and evaluate applications. The working group shall make
14 recommendations on funding decisions and shall provide such
15 recommendations to the agency.

16 (7) The agency may award up to five hundred thousand dollars in
17 grants per year. A qualified nonprofit organization shall not receive
18 more than fifty thousand dollars in grants in any one year.

19 (8) A qualified nonprofit organization shall not be eligible for a
20 grant under the program if:

21 (a) The qualified nonprofit organization applied for a grant under
22 the program and received the full amount of its funding request in the
23 previous year; or

24 (b) The qualified nonprofit organization received a federal
25 nonprofit security grant within the previous five years.

26 Sec. 17. A qualified nonprofit organization shall not use grant
27 funds to purchase equipment for security personnel.

28 Sec. 18. It is the intent of the Legislature to appropriate five
29 hundred thousand dollars from the General Fund for each of fiscal years
30 2024-25 through 2028-29 to carry out the Nebraska Nonprofit Security
31 Grant Program Act.

1 Sec. 19. The agency may adopt and promulgate rules and regulations
2 to carry out the Nebraska Nonprofit Security Grant Program Act.

3 Sec. 20. Sections 20 to 26 of this act shall be known and may be
4 cited as the Wildland Fire Response Act.

5 Sec. 21. (1) The Wildland Incident Response Assistance Team is
6 created and for administrative purposes is part of the office of the
7 State Fire Marshal.

8 (2) The Wildland Incident Response Assistance Team may provide
9 assistance or guidance to any individual who or entity that is attempting
10 to prevent, control, suppress, or otherwise mitigate a wildland fire, as
11 determined by the State Fire Marshal or his or her designee. Such
12 assistance or guidance may be provided regardless of a state of emergency
13 proclamation issued by the Governor relating to a wildland fire incident.

14 (3) Pursuant to the Emergency Management Act, the Adjutant General
15 and the Nebraska Emergency Management Agency may provide assistance to
16 the Wildland Incident Response Assistance Team following a state of
17 emergency proclamation issued by the Governor relating to a wildland fire
18 incident.

19 Sec. 22. The State Fire Marshal shall serve as the coordinator of
20 the Wildland Incident Response Assistance Team and shall:

21 (1) Establish squads within the team and select a squad leader and
22 squad members for each squad. The State Fire Marshal may consult with the
23 State Forester when establishing a squad, selecting a squad leader, or
24 selecting a squad member. The State Fire Marshal is limited to selecting
25 squad leaders and squad members from employees of the State Fire Marshal
26 and employees of the Nebraska Forest Service;

27 (2) Maintain a roster of all individuals who are a part of the
28 Wildland Incident Response Assistance Team; and

29 (3) Establish standards for the operation, training, equipment, and
30 administration of the Wildland Incident Response Assistance Team. It is
31 the intent of the Legislature that such standards should comply with the

1 standards established by the National Wildfire Coordinating Group or its
2 successor.

3 Sec. 23. (1) A squad leader or squad member of the Wildland
4 Incident Response Assistance Team shall have the powers, duties, rights,
5 privileges, and immunities and receive the compensation incidental to
6 employment of such leader or member by the State Fire Marshal or the
7 Nebraska Forest Service.

8 (2) Each squad leader is responsible for the organization,
9 administration, and operation of the squad to which the squad leader is
10 assigned.

11 (3) While operating under the Wildland Incident Response Assistance
12 Team, each squad leader and squad member are subject to the operational
13 control of the State Fire Marshal.

14 (4) While operating under the Wildland Incident Response Assistance
15 Team, each squad member assigned to a wildland fire incident is subject
16 to the operational control of the squad leader assigned to such wildland
17 fire incident.

18 Sec. 24. (1) The office of the State Fire Marshal is responsible
19 for paying the compensation of any squad leader or squad member who is an
20 employee of the State Fire Marshal while such squad leader or squad
21 member is assigned to a wildland fire incident, including any overtime
22 worked by such squad leader or squad member.

23 (2) The Nebraska Forest Service is responsible for paying the
24 compensation of any squad leader or squad member who is an employee of
25 the Nebraska Forest Service while such squad leader or squad member is
26 assigned to a wildland fire incident, including any overtime worked by
27 such squad leader or squad member.

28 (3) Each squad leader and squad member shall be reimbursed as
29 provided in sections 81-1174 to 81-1177 for expenses incurred as a result
30 of being assigned to a wildland fire incident.

31 (4) The State Fire Marshal and the Nebraska Forest Service shall be

1 responsible for requesting adequate appropriations each fiscal year to
2 pay the expenses of any employee who is selected to be a squad leader or
3 squad member of the Wildland Incident Response Assistance Team, including
4 expenses predicted to be incurred pursuant to this section and section 25
5 of this act.

6 Sec. 25. The Wildland Incident Response Assistance Team may rent
7 equipment that is needed to respond to a wildland fire incident and shall
8 pay a reasonable rental fee for the use of such equipment. The Wildland
9 Incident Response Assistance Team is responsible for any loss or damage
10 to the rented equipment caused due to the negligent use or misuse of such
11 rented equipment by the Wildland Incident Response Assistance Team.

12 Sec. 26. The State Fire Marshal may adopt and promulgate rules and
13 regulations to carry out the Wildland Fire Response Act.

14 Sec. 27. (1) For purposes of this section:

15 (a) Chemical facility has the same meaning as in 6 C.F.R. 27.105;

16 (b) Federal agency means the Cybersecurity and Infrastructure
17 Security Agency of the United States Department of Homeland Security;

18 (c) Federal standards means the federal Chemical Facility Anti-
19 Terrorism Standards under 6 C.F.R. part 27, as such standards existed on
20 July 1, 2023; and

21 (d) Program means the voluntary and publicly available chemical
22 security program provided by the federal agency as an alternative to the
23 federal standards.

24 (2) The Legislature finds that:

25 (a) The federal standards were created after the September 11, 2001,
26 terrorist attacks to identify and regulate high-risk chemical facilities
27 to ensure security measures are in place to reduce the risk of certain
28 dangerous chemicals being weaponized by terrorists;

29 (b) The United States Congress allowed the statutory authority for
30 continuing regulation of the federal standards to expire on July 27,
31 2023;

1 (c) With the expiration of such statutory authority and without
2 reauthorization by Congress, the federal agency can no longer enforce
3 compliance with the federal standards;

4 (d) The lack of enforcement means that chemical facilities will no
5 longer be required to report their chemicals of interest, submit to
6 inspections, provide compliance assistance, or implement any security
7 plan or program; and

8 (e) The federal agency has encouraged chemical facilities to
9 maintain security measures and offers a voluntary and publicly available
10 alternative chemical security program that provides facilities that
11 possess dangerous chemicals no-cost services and tools to identify risks
12 and improve chemical security.

13 (3) Beginning on the operative date of this section, a chemical
14 facility shall utilize the federal agency's program if such chemical
15 facility was required on or before July 27, 2023, to have a chemical
16 facility security program pursuant to 6 C.F.R. 27.200 et seq., as such
17 regulations existed on such date.

18 (4) The Nebraska Emergency Management Agency and the Department of
19 Environment and Energy shall publish the requirements of this section and
20 post a link to the program on their agency websites.

21 (5) This section is preempted when the federal standards are in
22 effect if Congress reauthorizes such federal standards.

23 Sec. 28. (1) There is hereby established the Commission on Asian
24 American Affairs. For purposes of sections 28 to 34 of this act,
25 commission means the Commission on Asian American Affairs.

26 (2) The commission shall consist of fourteen members who shall be of
27 Asian ancestry. Members of the commission shall be appointed by the
28 Governor. The commission may have such nonvoting, ex officio members as
29 shall be appointed by the commission and who need not be of Asian
30 ancestry. The commission shall elect one of its members as chairperson.

31 (3) Members of the commission shall serve four-year terms or for the

1 unexpired term in the event of a vacancy. As the terms of the voting
2 members expire, their successors shall be appointed by the Governor from
3 a panel of nominees submitted by the public. An appointment for an
4 unexpired term shall follow the same procedure as for initial and
5 subsequent appointments. Voting members shall be eligible for
6 reappointment.

7 Sec. 29. The purpose of the commission is to join representatives
8 of Asian Americans in Nebraska to do all things which the commission may
9 determine to enhance the cause of Asian American rights and to develop
10 solutions to problems common to all Asian Americans residing in Nebraska.

11 Sec. 30. The commission may receive and administer funds from
12 state, federal, and other sources and may employ and fix the compensation
13 of an executive director of its own choosing who shall be an Asian
14 American person and a legal resident of the State of Nebraska. An office
15 for the executive director shall be provided.

16 Sec. 31. The functions of the commission are to:

17 (1) Promote state and federal legislation beneficial to the Asian
18 American community in Nebraska;

19 (2) Coordinate programs relating to the Asian American community in
20 Nebraska regarding housing, education, welfare, medical and dental care,
21 employment, economic development, law and order, and related problems;

22 (3) Work with other state and federal government agencies and
23 federal and state elected officials in the development of programs in the
24 areas described in subdivision (2) of this section;

25 (4) Keep the Governor's office apprised of the status of affairs in
26 the Asian American community in Nebraska;

27 (5) Administer sections 28 to 34 of this act;

28 (6) Provide the public with information and education relevant to
29 Asian American affairs in Nebraska; and

30 (7) Develop programs to encourage the total involvement of Asian
31 American people in activities for the common benefit of the Asian

1 American community.

2 Sec. 32. The members of the commission shall each receive fifty
3 dollars for each day spent in the performance of their duties and shall
4 receive reimbursement for any expenses as provided in sections 81-1174 to
5 81-1177.

6 Sec. 33. (1) The commission shall meet at least once every calendar
7 quarter. Meetings shall be held in January, April, July, and October.
8 Special meetings may be called at the request of eight voting members.
9 Eight voting members of the commission shall constitute a quorum for the
10 transaction of business.

11 (2) The office of any member of the commission who, without a valid
12 excuse, fails to attend quarterly or special meetings shall be vacant.

13 Sec. 34. (1) For purposes of administration of the commission
14 during the interim between regular quarterly meetings, there is hereby
15 established an executive board of the Commission on Asian American
16 Affairs consisting of the chairperson of the commission and four members
17 of the commission.

18 (2) The executive board may enter into contracts for consultation
19 services, supplies, and equipment, if the amount contracted for does not
20 exceed two thousand dollars in any one contract, and may supervise all
21 programs relating to the affairs of Asian American people residing in
22 Nebraska instituted and authorized by the commission.

23 Sec. 35. Section 14-137, Reissue Revised Statutes of Nebraska, is
24 amended to read:

25 14-137 The style of ordinances of a city of the metropolitan class
26 shall be as follows: Be it ordained by the city council of the city
27 of All ordinances of the city shall be passed pursuant to
28 such rules and regulations as the city council may prescribe. Upon the
29 passage of all ordinances the yeas and nays shall be recorded in the
30 minutes of the city council, and a majority of the votes of all the
31 members of the city council shall be necessary for passage. No ordinance

1 shall be passed within a week after its introduction, except the general
2 appropriation ordinances for salaries and wages other than salaries of
3 the mayor and city council members. Ordinances of a general or permanent
4 nature shall be read by title on three different days unless three-
5 fourths of the city council vote to suspend this requirement, except that
6 such requirement shall not be suspended (1) for any ordinance for the
7 annexation of territory or the redrawing of boundaries for city council
8 election districts or wards or (2) as otherwise provided by law.

9 Sec. 36. Section 14-211, Reissue Revised Statutes of Nebraska, is
10 amended to read:

11 14-211 (1)(a) No ordinance passed by the city council of a city of
12 the metropolitan class, except when otherwise required by the general
13 laws of the state, by other provisions of sections 14-201 to 14-229, or
14 as provided in subdivision (1)(b) of this section, shall go into effect
15 before fifteen days from the time of its final passage.

16 (b) An ordinance passed by the city council of a city of the
17 metropolitan class may take effect sooner than fifteen days from the time
18 of its final passage if the ordinance is:

19 (i) For the appropriation of money to pay the salary of officers or
20 employees of the city other than salaries of the mayor and city council
21 members; or

22 (ii) An emergency ordinance that is for the preservation of the
23 public peace, health, or safety and that contains a statement of such
24 emergency.

25 (2)(a) If during such fifteen days a petition, signed and verified
26 as provided in this section by electors of the city equal in number to at
27 least fifteen percent of the highest number of votes cast for any city
28 council member at the last preceding general city election, protesting
29 against the passage of such ordinance, shall be presented to the city
30 council, then such ordinance shall be suspended from going into
31 operation, and it shall be the duty of the city council to reconsider

1 such ordinance.

2 (b) If such ordinance is not repealed by the city council, then the
3 city council shall proceed to submit to the voters such ordinance at a
4 special election to be called for such purpose or at a general city
5 election, and such ordinance shall not go into effect or become operative
6 unless a majority of the qualified electors voting on such ordinance
7 shall vote in favor of the question.

8 (3) Such petition shall be in all respects in accordance with the
9 provisions of section 14-212 relating to signatures, verification,
10 inspection, and certification.

11 Sec. 37. Section 14-217.02, Reissue Revised Statutes of Nebraska, is
12 amended to read:

13 14-217.02 (1) Vacancies in the office of mayor or city council in a
14 city of the metropolitan class shall be filled as provided in section
15 32-568.

16 (2)(a) Salaries of the mayor and members of the city council shall
17 be determined by ordinance subject to the requirements in this section.
18 Except as provided in subdivision (b) of this subsection, no such salary
19 shall be increased by more than the average percentage change in the
20 unadjusted Consumer Price Index for All Urban Consumers published by the
21 Federal Bureau for Labor Statistics for the period since the last salary
22 increase plus one percent. No such salary shall be increased more than
23 once every two fiscal years. The ordinance may establish the salary for
24 the mayor or the city council members or both. The salary change for the
25 mayor shall not take effect until the end of the term of the mayor in
26 office at the time of the adoption of the ordinance. The salary change
27 for the city council members shall take effect as soon as permitted under
28 Article III, section 19, of the Constitution of Nebraska.

29 (b) The city council may place the issue on the ballot of whether to
30 increase the salary of the mayor or the city council members or both by
31 more than the amount permitted in subdivision (a) of this subsection for

1 approval by the registered voters of the city. The city council shall
2 determine the percentage of increase and hold a public hearing regarding
3 the increase. If the city council approves the percentage by a vote of at
4 least two-thirds of the members of the city council, the city clerk shall
5 transmit the issue to the election commissioner or county clerk for
6 placement on the ballot at the next statewide general election subject to
7 section 32-559. If the salary change for the mayor is approved by a
8 majority of the voters voting on the issue, the salary change shall take
9 effect at the end of the term of the mayor in office at the time of the
10 election. If the salary change for the city council members is approved
11 by a majority of the voters voting on the issue, the salary change shall
12 take effect as soon as permitted under Article III, section 19, of the
13 Constitution of Nebraska.

14 Sec. 38. Section 14-2104, Reissue Revised Statutes of Nebraska, is
15 amended to read:

16 14-2104 (1) Any vacancy occurring in the board of directors shall be
17 filled for the unexpired term by the remaining members thereof within
18 thirty days after the vacancy occurs. It is the intent and purpose to
19 render the board of directors nonpartisan in character.

20 (2)(a) ~~(2)~~ The board of directors shall set the salaries of the
21 chairperson and other members of the board of directors as provided in
22 this subsection. The chairperson of the board of directors of a
23 metropolitan utilities district shall be paid, as compensation for his or
24 her services, ~~not to exceed~~ the sum of one thousand two hundred sixty
25 dollars per month as of the operative date of this section. Each of the
26 other members of the board of directors shall be paid, as compensation
27 for his or her services, ~~not to exceed~~ the sum of one thousand one
28 hundred twenty dollars per month as of the operative date of this
29 section.

30 (b) Subject to subdivision (c) of this subsection, Any adjustments
31 in compensation shall be made only at regular meetings of the board of

1 directors. Except as provided in subdivision (c) of this subsection, no
2 salary shall be increased by more than the average percentage change in
3 the unadjusted Consumer Price Index for All Urban Consumers published by
4 the Federal Bureau for Labor Statistics for the period since the last
5 salary increase plus one percent. The , and the salaries of the
6 chairperson and other members of such board shall not be increased more
7 often than once every two calendar years in any calendar year.

8 (c) The board of directors may place the issue on the ballot of
9 whether to increase the salary of the chairperson and other members of
10 such board by more than the percentage amount permitted in subdivision
11 (b) of this subsection at the next statewide general election for
12 approval by the registered voters of the metropolitan utilities district.
13 The board of directors shall determine the percentage of increase and
14 hold a public hearing regarding the increase. If the board of directors
15 approves the percentage by a vote of at least two-thirds of the members
16 of the board of directors, the board of directors shall transmit the
17 issue to the election commissioner or county clerk for placement on the
18 ballot at the next statewide general election subject to section 32-559.

19 (3) Members of the board of directors may be considered employees of
20 the district for purposes of participation in medical and dental plans of
21 insurance offered to regular employees. The dollar amount of any health
22 insurance premiums paid from the funds of the district for the benefit of
23 a member of the board of directors may be in addition to the amount of
24 compensation authorized to be paid to such director pursuant to this
25 section.

26 (4) The chairperson and other members of such board of directors
27 shall also be reimbursed for actual and necessary expenses incurred in
28 the performance of their official duties.

29 Sec. 39. Section 15-309, Reissue Revised Statutes of Nebraska, is
30 amended to read:

31 15-309 (1) Subject to subsection (2) of this section, the The city

1 council of a city of the primary class shall have the power by ordinance
2 to fix the salaries of the officers and employees of the city and provide
3 by ordinance for the forfeiting of the salary of any officer or employee.

4 (2)(a) Salaries of the mayor and members of the city council shall
5 be determined by ordinance subject to the requirements in this section.
6 Except as provided in subdivision (b) of this subsection, no such salary
7 shall be increased by more than the average percentage change in the
8 unadjusted Consumer Price Index for All Urban Consumers published by the
9 Federal Bureau for Labor Statistics for the period since the last salary
10 increase plus one percent. No such salary shall be increased more than
11 once every two fiscal years. The ordinance may establish the salary for
12 the mayor or the city council members or both. The salary change for the
13 mayor shall not take effect until the end of the term of the mayor in
14 office at the time of the adoption of the ordinance. The salary change
15 for the city council members shall take effect as soon as permitted under
16 Article III, section 19, of the Constitution of Nebraska.

17 (b) The city council may place the issue on the ballot of whether to
18 increase the salary of the mayor or the city council members or both by
19 more than the amount permitted in subdivision (a) of this subsection for
20 approval by the registered voters of the city. The city council shall
21 determine the percentage of increase and hold a public hearing regarding
22 the increase. If the city council approves the percentage by a vote of at
23 least two-thirds of the members of the city council, the city clerk shall
24 transmit the issue to the election commissioner or county clerk for
25 placement on the ballot at the next statewide general election subject to
26 section 32-559. If the salary change for the mayor is approved by a
27 majority of the voters voting on the issue, the salary change shall take
28 effect at the end of the term of the mayor in office at the time of the
29 election. If the salary change for the city council members is approved
30 by a majority of the voters voting on the issue, the salary change shall
31 take effect as soon as permitted under Article III, section 19, of the

1 Constitution of Nebraska.

2 Sec. 40. Section 19-412, Reissue Revised Statutes of Nebraska, is
3 amended to read:

4 19-412 (1)(a) ~~(1)~~ The officers and employees of a city under the
5 commission plan of government shall receive such compensation as the
6 mayor and city council shall fix by ordinance subject to the requirements
7 in this section. Except as provided in subdivision (b) of this
8 subsection, the salary of the mayor or city council member of a city of
9 the primary or metropolitan class shall not be increased by more than the
10 average percentage change in the unadjusted Consumer Price Index for All
11 Urban Consumers published by the Federal Bureau for Labor Statistics for
12 the period since the last salary increase plus one percent. No such
13 salary shall be increased more than once every two fiscal years.

14 (b) The city council of a city of the metropolitan or primary class
15 may place the issue on the ballot of whether to increase the salary of
16 the mayor or the city council members or both by more than the amount
17 permitted in subdivision (a) of this subsection for approval by the
18 registered voters of the city. The city council shall determine the
19 percentage of increase and hold a public hearing regarding the increase.
20 If the city council approves the percentage by a vote of at least two-
21 thirds of the members of the city council, the city clerk shall transmit
22 the issue to the election commissioner or county clerk for placement on
23 the ballot at the next statewide general election subject to section
24 32-559.

25 (2) The salary of any elective officer in a city under the
26 commission plan of government shall not be increased or diminished during
27 the term for which he or she was elected, except that when there are
28 officers elected to a city council, board, or commission having more than
29 one member and the terms of one or more members commence and end at
30 different times, the compensation of all members of such city council,
31 board, or commission may be increased or diminished at the beginning of

1 the full term of any member thereof. No person who has resigned or
2 vacated any office shall be eligible to be elected or appointed to such
3 office during the time for which he or she was elected when, during the
4 same time, the salary has been increased.

5 (3) The salary or compensation of all other officers or employees of
6 a city under the commission plan of government shall be determined when
7 they are appointed or elected by the city council, board, or commission
8 and shall be payable at such times or for such periods as the city
9 council, board, or commission shall determine.

10 Sec. 41. Section 19-616, Reissue Revised Statutes of Nebraska, is
11 amended to read:

12 19-616 (1) The annual compensation of the mayor and city council
13 members in cities under the city manager plan of government shall be
14 payable quarterly in equal installments and shall be fixed by the city
15 council subject to subsection (2) of this section. The salary of any
16 appointive or elective officer shall not be increased or diminished
17 during the term for which such officer was elected or appointed, except
18 that when there are officers elected or appointed to the city council or
19 a board or commission having more than one member and the terms of one or
20 more members commence and end at different times, the compensation of all
21 members of such city council, board, or commission may be increased or
22 diminished at the beginning of the full term of any member thereof. No
23 person who has resigned or vacated any office shall be eligible to be
24 elected or appointed to such office during the time for which he or she
25 was elected or appointed when, during the same time, the salary has been
26 increased. For each absence from regular meetings of the city council,
27 unless authorized by a two-thirds vote of all members of the city
28 council, there shall be deducted a sum equal to two percent of such
29 annual salary.

30 (2)(a) The salaries of the mayor and city council members of a city
31 of the primary class shall be established by ordinance subject to the

1 requirements in this section. Except as provided in subdivision (b) of
2 this subsection, no such salary shall be increased by more than the
3 average percentage change in the unadjusted Consumer Price Index for All
4 Urban Consumers published by the Federal Bureau for Labor Statistics for
5 the period since the last salary increase plus one percent. No such
6 salary shall be increased more than once every two fiscal years. The
7 ordinance may establish the salary for the mayor or the city council
8 members or both.

9 (b) The city council may place the issue on the ballot of whether to
10 increase the salary of the mayor or the city council members or both by
11 more than the amount permitted in subdivision (a) of this subsection for
12 approval by the registered voters of the city. The city council shall
13 determine the percentage of increase and hold a public hearing regarding
14 the increase. If the city council approves the percentage by a vote of at
15 least two-thirds of the members of the city council, the city clerk shall
16 transmit the issue to the election commissioner or county clerk for
17 placement on the ballot at the next statewide general election subject to
18 section 32-559.

19 Sec. 42. Section 23-1114, Reissue Revised Statutes of Nebraska, is
20 amended to read:

21 23-1114 (1) Except as otherwise provided in subsection (4) of this
22 section, the ~~The~~ salaries of all elected officers of the county shall be
23 fixed by the county board prior to January 15 of the year in which a
24 general election will be held for the respective offices.

25 (2) The salaries of all deputies in the offices of the elected
26 officers and appointive veterans service officers of the county shall be
27 fixed by the county board at such times as necessity may require.

28 (3) The county board may make payments that include, but are not
29 limited to, salaries described in this section or reimbursable expenses
30 by electronic funds transfer or a similar means of direct deposit.

31 (4)(a) The salaries of the members of the county board shall be

1 established by resolution by the members of the county board subject to
2 the requirements in this section. Except as provided in subdivision (b)
3 of this subsection, no such salary shall be increased by more than the
4 cumulative change in the unadjusted Consumer Price Index for All Urban
5 Consumers published by the Federal Bureau for Labor Statistics for the
6 period since the last salary increase plus one percent. No such salary
7 shall be increased more than once every two fiscal years.

8 (b) The county board may place the issue on the ballot of whether to
9 increase the salary of the members of the county board by more than the
10 amount permitted in subdivision (a) of this subsection for approval by
11 the registered voters of the county. The county board shall determine the
12 percentage of increase and hold a public hearing regarding the increase.
13 If the county board approves the percentage by a vote of at least two-
14 thirds of the members of the county board, the county board shall
15 transmit the issue to the election commissioner or county clerk for
16 placement on the ballot at the next statewide general election subject to
17 section 32-559.

18 Sec. 43. Section 23-1114.07, Reissue Revised Statutes of Nebraska,
19 is amended to read:

20 23-1114.07 ~~Except for members~~ Members of the county board, salaries
21 of county shall set their own annual salary to be paid out of the general
22 fund. Salaries of other officers, including appointive full-time veterans
23 service officers, in counties of Class 6 or 7 shall be established by the
24 county board, except that the county assessor in counties of Class 7
25 shall receive a minimum annual salary of twenty thousand dollars, to be
26 paid periodically as other county employees out of the general fund.

27 Sec. 44. Section 70-624.02, Reissue Revised Statutes of Nebraska, is
28 amended to read:

29 70-624.02 The members of the board of directors shall be paid their
30 actual expenses, while engaged in the business of the district under the
31 authority of the board of directors, and, for their services, such

1 compensation as shall be fixed by the board of directors.

2 The boards of directors of those districts with gross revenue of
3 less than five hundred forty million dollars may fix compensation at not
4 to exceed thirteen thousand four hundred forty six thousand seven hundred
5 ~~twenty~~ dollars per year as to all members except the president and not
6 exceeding fifteen thousand one hundred twenty seven thousand five hundred
7 ~~sixty~~ dollars a year as to the president.

8 The boards of directors of those districts with gross revenue of
9 five hundred forty million dollars or more may fix compensation at not to
10 exceed twenty-six thousand eight hundred eighty thirteen thousand four
11 ~~hundred forty~~ dollars per year as to all members except the president or
12 chairperson of the board and not exceeding thirty thousand two hundred
13 forty fifteen thousand one hundred twenty dollars per year as to the
14 president or chairperson of the board. All salaries and compensation
15 shall be obligations against and be paid solely from the revenue of the
16 district.

17 No director shall receive any other compensation from the district,
18 except as provided in this section, during the term for which he or she
19 was elected or appointed or in the year following the expiration of his
20 or her term, and resignation from such board of directors shall not be
21 construed as the termination of the term of office for which he or she
22 was elected or appointed.

23 A member of the board of directors of a public power district
24 organized under the laws of this state shall not be limited to service on
25 the board of directors in the district in which he or she has been
26 elected so as to preclude service in similar positions of trust on a
27 state, regional, or national level which are the result of his or her
28 membership as a director on such board. For time expended in his or her
29 duties in such position of trust, the director shall not be limited to
30 any existing provisions of law of this state relating to payment of per
31 diem for services as a member of such board of directors, but shall be

1 entitled to receive such additional compensation as may be provided for
2 such service, regardless of the fact that such compensation may be paid
3 from funds to which his or her district has made contributions in the
4 form of dues or otherwise.

5 Sec. 45. Section 80-102, Reissue Revised Statutes of Nebraska, is
6 amended to read:

7 80-102 (1)(a) The county veterans service committee shall meet at
8 least once each year or on call of the chairperson or of any three
9 members of the committee. It shall determine the amount it considers
10 necessary for providing aid, including food, shelter, fuel, wearing
11 apparel, medical or surgical aid, or funeral expenses, for the purposes
12 identified in subdivisions (b) and (c) of this subsection. The county
13 veterans service committee shall certify the amount so determined to the
14 county board, which amount shall be reviewed and considered by the county
15 board in making a levy for an aid fund.

16 (b) The county veterans service committee shall determine the amount
17 of aid described in subdivision (a) of this subsection for persons who
18 are in need of the aid and who:

19 (i) Served in the armed forces of the United States ~~during a period~~
20 ~~of war as defined in section 80-401.01 or during a period of actual~~
21 ~~hostilities in any war or conflict in which the United States Government~~
22 ~~was engaged prior to April 6, 1917;~~

23 (ii) Were discharged or otherwise separated with a characterization
24 of honorable or general (under honorable conditions) or died while in
25 service or as a direct result of that service; and

26 (iii) Have legal residence in the State of Nebraska for a period of
27 not less than one year and in the county in which application is made for
28 a period of not less than six months.

29 (c) The county veterans service committee shall determine the amount
30 of aid described in subdivision (a) of this subsection for:

31 (i) Husbands and wives, surviving spouses, and minor children under

1 eighteen years of age of veterans described in subdivision (b) of this
2 subsection; and

3 (ii) Payment of expenses of last illness and burial when a veteran
4 described in subdivision (b) of this subsection or a surviving spouse
5 described in subdivision (c)(i) of this subsection passes away leaving no
6 next of kin.

7 (2) The county board of each county shall annually make such levy or
8 levies as needed to raise the required aid fund referred to in subsection
9 (1) of this section as the county board determines is necessary, not
10 exceeding one cent on each one hundred dollars upon the taxable value of
11 all the taxable property of such county. Any unexpended balance of the
12 aid fund at the end of any fiscal year shall remain in the fund, without
13 reappropriation, for future use. The committee or a majority thereof
14 shall fix the amount to be paid to each claimant, subject to any amounts
15 in the aid fund, and promptly disburse the same to or for the benefit of
16 the claimant. The county clerk shall issue a warrant to the committee or
17 to the county veterans service officer as directed by the committee upon
18 the county treasurer for such amount as the committee shall from time to
19 time request and as amounts in the aid fund permit. The committee shall
20 at the end of each year make a detailed report of its transactions to the
21 county board. Such reports shall be accompanied with vouchers for all
22 money disbursed.

23 Sec. 46. Section 80-104, Revised Statutes Cumulative Supplement,
24 2022, is amended to read:

25 80-104 Except for cremated remains disposed of as provided in
26 section 71-1382.01, it shall be the duty of the county veterans service
27 committee to cause to be decently interred the body of any person who has
28 been discharged or otherwise separated with a characterization of
29 honorable or general (under honorable conditions) from any arm of the
30 military or naval service of the United States, ~~has served during a~~
31 ~~period of war, as defined in section 80-401.01, or during a period of~~

1 ~~actual hostilities in any war or conflict in which the United States~~
2 ~~Government was engaged prior to April 6, 1917, and who dies may hereafter~~
3 ~~die~~ without leaving sufficient means to defray such person's ~~his or her~~
4 funeral expenses. Such burials should not be made in any cemetery or
5 burial grounds used exclusively for the burial of pauper dead. The
6 committee shall permit the If surviving relatives of the deceased ~~shall~~
7 ~~desire~~ to conduct the funeral if ~~,~~ they request ~~shall be permitted~~ to do
8 so.

9 Sec. 47. Section 80-316, Revised Statutes Cumulative Supplement,
10 2022, is amended to read:

11 80-316 (1) The department shall provide domiciliary and nursing home
12 care and subsistence to:

13 (a) All persons who either served on active duty in the armed forces
14 of the United States other than active duty for training or served on
15 active duty for training in the Nebraska National Guard and who were
16 discharged or otherwise separated with a characterization of honorable or
17 general (under honorable conditions) if, at the time of making an
18 application for admission to one of the Nebraska veterans homes:

19 (i) The applicant has been a bona fide resident of the State of
20 Nebraska for at least two years;

21 (ii) The applicant has become disabled due to service, old age, or
22 otherwise to an extent that it would prevent such applicant from earning
23 a livelihood; and

24 (iii) The applicant's income from all sources is such that the
25 applicant would be dependent wholly or partially upon public charities
26 for support or the type of care needed is available only at a state
27 institution;

28 (b) The spouse of any such person admitted to one of the homes who
29 has attained the age of fifty years and has been married to such member
30 for at least two years before his or her entrance into the home;

31 (c) Subject to subsection (2) of this section, the surviving spouses

1 and parents of eligible servicemen and servicewomen as defined in
2 subdivision (a) of this subsection who died while in the service of the
3 United States or who have since died of a service-connected disability as
4 determined by the United States Department of Veterans Affairs; and

5 (d) Subject to subsection (2) of this section, the surviving spouses
6 of eligible servicemen or servicewomen as defined in subdivision (a) of
7 this subsection who have since died.

8 (2) The surviving spouses and parents referred to in subdivision (1)
9 (c) or (d) of this section shall be eligible for such care and
10 subsistence if, at the time of applying, they:

11 (a) Have been bona fide residents of the State of Nebraska for at
12 least two years;

13 (b) Have attained the age of fifty years;

14 (c) Are unable to earn a livelihood; and

15 (d) Are dependent wholly or partially upon public charities or the
16 type of care needed is available only at a state institution.

17 (3) No one admitted to one of the Nebraska veterans homes under
18 conditions enumerated in this section shall have a vested right to
19 continued residence in such home if such person ceases to meet any of the
20 eligibility requirements of this section, except that no person who has
21 been regularly admitted shall be denied continued residence solely
22 because of his or her marriage to a member of one of the homes.

23 Sec. 48. Section 81-503, Reissue Revised Statutes of Nebraska, is
24 amended to read:

25 81-503 (1) The State Fire Marshal may appoint a first assistant fire
26 marshal and such deputies, inspectors, and other persons as in his or her
27 discretion may be necessary to carry into effect sections 81-501.01 to
28 81-531 and 81-5,151 to 81-5,157, the Nebraska Natural Gas Pipeline Safety
29 Act of 1969, the Petroleum Products and Hazardous Substances Storage and
30 Handling Act, the Wildland Fire Response Act, and any other statutory
31 duties imposed upon the State Fire Marshal. He or she may also, at his or

1 her pleasure, remove such first assistant and any of such deputies as he
2 or she may deem advisable. The deputies and inspectors shall perform such
3 duties and have and enjoy all the rights, privileges, and immunities
4 granted by law. The State Fire Marshal may also employ such clerical
5 assistants, office employees, and other persons as he or she may deem
6 advisable and necessary to carry such duties into effect.

7 (2) The State Fire Marshal, the first assistant fire marshal, each
8 deputy, and each inspector shall wear full uniform when performing
9 statutory duties. The State Fire Marshal shall determine the type of
10 clothing, in relation to the duty being performed, necessary to meet the
11 full uniform requirement.

12 Sec. 49. Section 81-830, Reissue Revised Statutes of Nebraska, is
13 amended to read:

14 81-830 (1) The Office of Homeland Security is created. The Governor
15 shall appoint the Director of State Homeland Security who shall serve at
16 the pleasure of the Governor.

17 (2) The purpose of the office is to ensure preparedness by the State
18 of Nebraska in response to or in mitigation of terrorist acts or threats
19 from foreign adversaries. The office shall coordinate efforts regarding
20 domestic security issues with the United States Department of Homeland
21 Security. The Director of State Homeland Security shall serve as the
22 contact between the state and the United States Department of Homeland
23 Security.

24 (3)(a) The Homeland Security Policy Group is created. The Director
25 of State Homeland Security shall serve as chairperson of the policy
26 group. The policy group is charged with assessing state homeland security
27 risks, threats, and hazards and recommending strategic alternatives and
28 ~~recommending~~ broad courses of action for the development of comprehensive
29 strategies to eliminate or mitigate such risks, threats, and hazards.

30 (b) The Governor shall appoint other members of the policy group who
31 shall serve at the will of the Governor.

1 (c) The Executive Board of the Legislative Council shall select one
2 member of the Government, Military and Veterans Affairs Committee and one
3 member of the Appropriations Committee of the Legislature to serve as ex
4 officio nonvoting members of the policy group.

5 (d) ~~(b)~~ The policy group shall report electronically by March 1 of
6 each year to the executive board identifying federal funds sent to the
7 state in support of its preparedness activities and indicating the use of
8 federal funds received by the state for homeland security, including
9 specific amounts allocated to any unit of state or local government and
10 the use to which the unit shall apply the funds.

11 (e) ~~(c)~~ The policy group shall not be subject to the Open Meetings
12 Act or to sections 84-712 to 84-712.09.

13 Sec. 50. Sections 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25,
14 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43,
15 44, 45, 46, 47, 48, and 53 of this act become operative three calendar
16 months after the adjournment of this legislative session. The other
17 sections of this act become operative on their effective date.

18 Sec. 51. If any section in this act or any part of any section is
19 declared invalid or unconstitutional, the declaration shall not affect
20 the validity or constitutionality of the remaining portions.

21 Sec. 52. Original section 81-830, Reissue Revised Statutes of
22 Nebraska, is repealed.

23 Sec. 53. Original sections 14-137, 14-211, 14-217.02, 14-2104,
24 15-309, 19-412, 19-616, 23-1114, 23-1114.07, 70-624.02, 80-102, and
25 81-503, Reissue Revised Statutes of Nebraska, and sections 80-104 and
26 80-316, Revised Statutes Cumulative Supplement, 2022, are repealed.

27 Sec. 54. Since an emergency exists, this act takes effect when
28 passed and approved according to law.