

LEGISLATURE OF NEBRASKA

ONE HUNDRED FIRST LEGISLATURE

FIRST SESSION

LEGISLATIVE BILL 280

Introduced by Avery, 28; Cornett, 45; Price, 3; Rogert, 16.

Read first time January 14, 2009

Committee: Government, Military and Veterans Affairs

A BILL

- 1 FOR AN ACT relating to military bases; to create the Commission on
- 2 Military Affairs; and to provide for membership, terms,
- 3 expenses, and powers and duties.
- 4 Be it enacted by the people of the State of Nebraska,

1 Section 1. (1) The Commission on Military Affairs is
2 created. The commission shall be composed of five members including
3 the Adjutant General. The Governor shall appoint four members with
4 interest or expertise in military affairs.

5 (2) All appointments shall be subject to the approval of
6 a majority of the members of the Legislature if the Legislature is
7 in session. If the Legislature is not in session, any appointment
8 shall be temporary until the next session of the Legislature, at
9 which time a majority of the members of the Legislature may approve
10 or disapprove such appointment.

11 (3) The appointed membership shall include at least one
12 resident from each congressional district.

13 Sec. 2. (1) The Governor shall designate the terms of the
14 initial members of the Commission on Military Affairs so that one
15 serves for a term of one year, one for a term of three years, one
16 for a term of five years, and one for a term of six years.

17 (2) Succeeding appointments shall be for terms of six
18 years in the same manner as the original appointments. The terms of
19 the members shall begin on October 1 of the year in which they are
20 appointed unless appointed to fill a vacancy.

21 (3) Appointments to fill a vacancy, occurring other than
22 by the expiration of a term of office, shall be made for the
23 unexpired term of the member whose office is vacated.

24 Sec. 3. The Governor may remove a member of the
25 Commission on Military Affairs for inefficiency, neglect of duty,

1 misconduct in office, or mental or physical disability, but only
2 after delivering to the member a copy of the charges and affording
3 him or her an opportunity to be publicly heard in person, or by
4 counsel, in his or her own defense, upon not less than ten days'
5 notice. Such hearing shall be held before the Governor.

6 Sec. 4. The Commission on Military Affairs shall organize
7 by selecting a chairperson, a vice-chairperson, and a secretary
8 from among its members, who shall hold office at the pleasure of
9 the commission. The vice-chairperson shall act as chairperson in
10 the absence of the chairperson or in the event of a vacancy in
11 that position. The secretary shall keep all records of meetings and
12 actions taken by the commission.

13 Sec. 5. Three members of the Commission on Military
14 Affairs shall constitute a quorum, and the concurrence of three
15 members of the commission shall be required for any action or
16 recommendation of the commission.

17 Sec. 6. The Commission on Military Affairs shall meet at
18 such times and places as shall be determined by the commission and
19 shall keep a record of its proceedings. The chairperson may call
20 special meetings and shall call special meetings upon receipt of a
21 written request signed by three or more members of the commission.
22 The secretary shall mail written notice of the time and place of
23 all meetings in advance to each member of the commission.

24 Sec. 7. The Adjutant General shall receive no
25 compensation for services as a member of the Commission on Military

1 Affairs other than any salary allowed by law, but shall be
2 reimbursed for actual and necessary expenses. The appointed members
3 of the commission shall be paid a per diem of fifty dollars for
4 each day actually and necessarily engaged in the performance of
5 their duties as members of such commission and shall be reimbursed
6 for actual and necessary expenses. Reimbursement for expenses shall
7 be as provided in sections 81-1174 to 81-1177.

8 Sec. 8. The Commission on Military Affairs shall employ
9 an executive director and may employ a general counsel and such
10 other staff as are necessary to carry out its duties. The executive
11 director shall serve at the pleasure of the commission and shall
12 be solely responsible to it. The executive director shall be
13 responsible for the administrative operations of the commission and
14 shall perform such other duties as may be delegated or assigned
15 to him or her by the commission. The commission may obtain the
16 services of experts and consultants as necessary to carry out
17 its duties. Members of the commission shall be exempted from the
18 provisions of Chapter 81, article 13, except that they may be
19 covered by the State Personnel System through specific agreement
20 between the commission and the personnel division of the Department
21 of Administrative Services.

22 Sec. 9. The Commission on Military Affairs shall work
23 with local, state, and federal officials and interested parties
24 to develop and implement a comprehensive plan for determining
25 appropriate actions to support the best interests of the military

1 assets of Nebraska and the nation and to support the military
2 community.

3 Sec. 10. The Commission on Military Affairs shall prepare
4 an annual report summarizing the military assets of Nebraska,
5 including installations and missions, and the economic impact of
6 the military assets in Nebraska. The report shall also include
7 recommendations for preserving and sustaining military assets and
8 missions existing in Nebraska as of the effective date of this
9 act and recommendations for actions which the state can make
10 to encourage expanding such assets and missions in Nebraska.
11 The commission shall submit the report to the Legislature, the
12 Governor, and the commanding officer of every military base in
13 Nebraska.