

AMENDMENTS TO LB1300

Introduced by Government, Military and Veterans Affairs.

1 1. Strike the original sections and insert the following new
2 sections:

3 Section 1. Sections 1 to 9 of this act shall be known and may be
4 cited as the Pacific Conflict Stress Test Act.

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

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

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

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

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

20 (c) Telecommunications networks;

21 (d) Electrical power delivery systems, including power generation,
22 transmission, and distribution systems;

23 (e) Emergency services; and

24 (f) Transportation systems and services;

25 (2) Critical procurement means those acquisitions made by the state
26 or any agency of the state that are critical to the proper functioning of
27 critical infrastructure or to the health, safety, or security of the

1 State of Nebraska or the United States;

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

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

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

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

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

26 (b) State-managed fund includes, but is not limited to:

27 (i) Public pension funds, public retirement funds, or other state-
28 sponsored funds, that are sponsored, maintained, or contributed to or
29 required to be contributed to by this state or any subsidiary of the
30 state;

31 (ii) City, county, or other local or municipal entity investment

1 funds, rainy day funds, or other political subdivision-controlled
2 investment structures; and

3 (iii) University or college endowments, trusts, or other structures
4 which constitute, wholly or in part, a public institution of higher
5 education's investable assets;

6 (7) State-owned enterprise means any company owned or controlled, in
7 whole or in part, by a government or by individuals acting in official
8 government capacities in any form;

9 (8) State risk assessment means a study conducted under the Governor
10 in consultation with the Legislature which leverages the expertise of
11 executive agencies and which minimally includes:

12 (a) An identification or awareness of threats and hazards that could
13 negatively impact citizens and assets of this state;

14 (b) An identification of risk scenarios, describing cause and
15 consequence of threats and hazards that might actualize to impact
16 citizens and assets of this state; and

17 (c) An analysis of the probability and severity of the consequences
18 associated with each risk scenario;

19 (9) State supply chain means the end-to-end process for shipping
20 goods, purchased by the state, to the State of Nebraska, beginning at the
21 point of origin through a point or points of distribution to the
22 destination; and

23 (10) State vendor supply chain means the end-to-end process for
24 shipping goods, purchased by the state from state vendors, to the
25 vendors, beginning at the point of origin through a point or points of
26 distribution to the destination.

27 Sec. 4. It shall be the policy of the State of Nebraska to:

28 (1) Support the civilian and military command of the United States
29 and its efforts to promote and maintain prosperity, peace, and security
30 for America and its allies;

31 (2) Enhance the defensive posture of this state so as to protect

1 state citizens and assets and to contribute to the broader defensive
2 posture of the United States by reducing security vulnerabilities within
3 this state; and

4 (3) Exercise foresight and make reasonable preparations for a
5 potential regional or global conflict centered on the Pacific theater
6 which could involve attacks upon the United States and its allies in the
7 Pacific theater, which could involve asymmetrical attacks on the American
8 homeland, and which could cause the disruption or complete severing of
9 supply chains between this state and its vendors and the People's
10 Republic of China, the Republic of China, or other countries in the
11 Pacific theater.

12 Sec. 5. (1) The Governor shall annually produce a state risk
13 assessment no later than the day prior to the annual address made to the
14 Legislature by the Governor.

15 (2) The annual state risk assessment shall include all substantial
16 risks to state or national security, state or national economic security,
17 state or national public health, or any combination of such matters,
18 occurring within and threatening the State of Nebraska.

19 Sec. 6. (1) The Department of Administrative Services shall conduct
20 a review of all critical procurements purchased or supplied through a
21 state supply chain or state vendor supply chain and produce a report,
22 which shall be electronically submitted using a secure method to the
23 Governor within one hundred eighty days after the operative date of this
24 section.

25 (2) The report shall:

26 (a) Summarize the critical procurements produced in or by a foreign
27 adversary, a state-owned enterprise of a foreign adversary, a company
28 domiciled within a foreign adversary, or a company owned by a company
29 domiciled within a foreign adversary;

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

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

4 (d) Identify alternative sourcing, if available, or highlight the
5 difficulty in identifying potential alternative sourcing, if relevant;
6 and

7 (e) Specify the level of risk to the State of Nebraska associated
8 with such a disruption in sourcing for each procurement that is
9 threatened in the event of a Pacific conflict.

10 (3) The chairperson of the Committee on Pacific Conflict created
11 under section 8 of this act may request a briefing from an official
12 representative of an entity that owns critical infrastructure. The
13 information presented at such briefing shall include, but not be limited
14 to, the information described in subsection (2) of this section, as it
15 relates to such entity.

16 (4) The Department of Administrative Services may contract with a
17 private consultant to assist with the review and report required under
18 this section, and such contract need not be competitively bid.

19 (5) Information contained in the report required under this section
20 is confidential. Unauthorized public disclosure of such confidential
21 information is a Class III misdemeanor.

22 Sec. 7. (1) The Nebraska Investment Council shall conduct an audit
23 of all state-managed funds and produce a report, which shall be
24 electronically submitted using a secure method to the Committee on
25 Pacific Conflict and the Governor within one hundred eighty days after
26 the operative date of this section.

27 (2) The report shall:

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

31 (b) Summarize the investments in any arms industry of a foreign

1 adversary;

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

4 (d) Summarize the investments in companies domiciled within a
5 foreign adversary or owned by a company domiciled within a foreign
6 adversary; and

7 (e) Recommend strategies for the immediate and complete divestment
8 of the assets described in subdivisions (a) through (d) of this
9 subsection.

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

13 Sec. 8. (1) The Committee on Pacific Conflict is hereby created.
14 The committee shall consist of the voting members of the Homeland
15 Security Policy Group and three additional voting members who shall be
16 appointed by the Governor. The three additional voting members shall have
17 applicable knowledge of the threats posed to this state in the event of a
18 Pacific conflict. The Director of State Homeland Security shall serve as
19 the chairperson of the committee.

20 (2) The committee shall also include four members of the
21 Legislature, to be appointed by the Executive Board of the Legislative
22 Council. The legislative members shall be nonvoting members of the
23 committee.

24 (3) Appointments to the committee shall be made within sixty days
25 after the operative date of this section.

26 (4) The committee shall be authorized for an initial period of three
27 years.

28 (5) The first meeting of the committee shall be held within ninety
29 days after the operative date of this section.

30 (6) The committee shall meet no less than once every three months.
31 Additional meetings may be called at the will of the majority of the

1 voting members of the committee, and emergency meetings may be called at
2 the will of the chairperson of the committee or the Governor. Meetings of
3 the committee shall not be subject to the Open Meetings Act.

4 (7) At the discretion of the committee, subject matter experts may
5 be consulted to provide expertise and collaborative research support
6 related to critical infrastructure needs.

7 (8)(a) The committee shall annually produce a report concerning the
8 threats posed to the State of Nebraska in the event of a Pacific
9 conflict. The report shall be electronically submitted using a secure
10 method to the Governor no later than thirty days prior to the annual
11 address made to the Legislature by the Governor.

12 (b) The report shall provide a comprehensive risk assessment,
13 including all identified vulnerabilities and recommended mitigation and
14 emergency response strategies, for each of the following identified areas
15 and any other areas deemed appropriate or applicable by the committee:

16 (i) Critical infrastructure;

17 (ii) Telecommunications infrastructure;

18 (iii) Military installations located within the state;

19 (iv) State supply chain for critical procurements;

20 (v) State vendor supply chain for critical procurements;

21 (vi) State cybersecurity;

22 (vii) Public safety and security; and

23 (viii) Public health.

24 (c) The first report submitted under this section shall also
25 incorporate the information received from any briefings held pursuant to
26 subsection (3) of section 6 of this act, the findings of the report
27 produced pursuant to section 7 of this act, and, if complete, the
28 findings of the report produced pursuant to section 9 of this act.

29 (9) An executive summary of the report shall be provided to the
30 Executive Board of the Legislative Council and may be made available to
31 the public, but such executive summary shall not divulge information that

1 could create a substantial likelihood of risk to critical infrastructure.

2 (10) Information contained in the report required under this
3 section, except for any information made available to the public under
4 subsection (9) of this section, is confidential. Unauthorized public
5 disclosure of such confidential information is a Class III misdemeanor.

6 Sec. 9. (1) The Governor, in consultation with the Homeland
7 Security Policy Group, shall appoint a lead state agency to conduct a
8 study on adversarial threats to state assets and critical infrastructure
9 and coordinate the research and development of the report required in
10 this section.

11 (2) Within one hundred eighty days after the operative date of this
12 section, the lead state agency shall identify all critical infrastructure
13 and other assets within this state that could reasonably be targeted in
14 malicious actions by adversarial nations in the event of a Pacific
15 conflict. In identifying such critical infrastructure and other assets,
16 the lead state agency shall apply consistent, objective criteria.

17 (3) Within one year after the operative date of this section, the
18 lead state agency shall electronically submit a report to the Executive
19 Board of the Legislative Council, the Governor, and the Committee on
20 Pacific Conflict. The report shall be submitted using a secure method and
21 shall include:

22 (a) The critical infrastructure and other assets identified under
23 subsection (2) of this section, including the specific risks posed to
24 each infrastructure system or asset in the event of a Pacific conflict;

25 (b) Mitigation strategies and suggestions to limit or eliminate the
26 risk posed to the critical infrastructure or other assets in the event of
27 a Pacific conflict;

28 (c) Critical procurements identified in the report produced pursuant
29 to section 6 of this act, including the specific risks posed to each
30 critical procurement in the event of a Pacific conflict; and

31 (d) Mitigation strategies and suggestions, including alternative

1 sourcing, that limit or eliminate the risk posed to the safety and
2 security of the state or nation in the event of a Pacific conflict.

3 (4) The report shall also include a risk-based list of the critical
4 infrastructure and other assets identified under subsection (2) of this
5 section, the order of which shall be determined by:

6 (a) The degree to which each critical infrastructure system is in
7 need of protective action; and

8 (b) The degree to which the debilitation of each critical
9 infrastructure system would affect the safety and security of the state
10 and the nation.

11 (5) Individuals receiving the report required under this section
12 shall have electronic access to the report for a period of ten calendar
13 days, after which the report shall be available for inspection by such
14 individuals in the office of the Governor. No individual who is provided
15 access to the report shall be allowed to print or download copies of the
16 report or electronically transmit the report to any third party. An
17 executive summary of the report may be made available to the public, but
18 such executive summary shall not divulge information that could create a
19 substantial likelihood of risk to critical infrastructure.

20 (6) Information contained in the report required under this section,
21 except for any information made available to the public under subsection
22 (5) of this section, is confidential. Unauthorized public disclosure of
23 such confidential information is a Class III misdemeanor.

24 (7) Nothing in this section shall be construed to require or permit
25 the disclosure of any critical infrastructure information that may be
26 withheld from the public pursuant to section 84-712.05.

27 (8) The lead state agency shall coordinate with the Committee on
28 Pacific Conflict and other appropriate state agencies and shall be
29 provided with the resources necessary to produce the report. State
30 agencies shall provide the lead state agency with information necessary
31 to carry out the responsibilities under this section. The lead state

1 agency shall develop a process for relevant stakeholders to submit
2 information to assist in identifying critical infrastructure and other
3 assets described in subsection (2) of this section.

4 (9) The lead state agency may also, at its discretion, coordinate
5 with state universities of higher education, private firms specializing
6 in infrastructure risk management, and federal agencies including, but
7 not limited to, the United States Department of Defense, the
8 Cybersecurity and Infrastructure Security Agency, the Director of
9 National Intelligence, the National Security Agency, the United States
10 Department of Homeland Security, and any other agency deemed appropriate
11 by the lead state agency.

12 (10) The lead state agency, in coordination with other appropriate
13 state agencies, shall confidentially notify owners and operators of
14 critical infrastructure identified under subsection (2) of this section
15 that they have been so identified, and shall ensure that the owners and
16 operators are provided the basis for the determination. The lead state
17 agency shall also establish a process through which owners and operators
18 of critical infrastructure may securely submit or provide access to
19 relevant information and request reconsideration of assessments made
20 under subsection (2) of this section.

21 Sec. 10. Sections 10 to 16 of this act shall be known and may be
22 cited as the Foreign Adversary Contracting Prohibition Act.

23 Sec. 11. The Legislature finds that:

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

30 (2) When such a commercial entity is a state-owned entity, it
31 presents heightened concerns and threatens this state's security,

1 including by making accessible to the foreign adversary information about
2 the structure, operations, resources, and infrastructure of the
3 government of this state; and

4 (3) Dealings with such commercial entities, and especially state-
5 owned entities, threaten the privacy and security of residents of this
6 state, to the extent that they involve the personal information of such
7 residents.

8 Sec. 12. For purposes of the Foreign Adversary Contracting
9 Prohibition Act:

10 (1) Company means any sole proprietorship, organization,
11 association, corporation, partnership, joint venture, limited
12 partnership, limited liability partnership, limited liability company, or
13 other entity or business association that exists for the purpose of
14 making a profit, including all wholly owned subsidiaries, majority owned
15 subsidiaries, parent companies, or affiliates of any such entity or
16 business association;

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

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

20 (a) For a publicly traded company, any share of ownership that
21 entails the ability to direct or influence the operations of the company,
22 the ability to appoint or discharge any board members, officers, or
23 directors, or any other rights beyond those available to a retail
24 investor holding an equivalent share of ownership; and

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

26 (4) Public entity means the state or any department, agency,
27 commission, or other body of state government, including publicly funded
28 institutions of higher education, any political subdivision of the state,
29 and any other public or private agency, person, partnership, corporation,
30 or business entity acting on behalf of any such public entity;

31 (5) Scrutinized company means:

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

4 (b) Any company owned in whole or in part or operated by the
5 government of a foreign adversary, an entity controlled by the government
6 of a foreign adversary, or any subsidiary or parent of any such company;
7 or

8 (c) Any company that sells a technology-related product or service
9 that originates with a company described in subdivision (5)(a) or (b) of
10 this section, regardless of whether such product or service is sold on
11 its own or after it has been incorporated into another product or
12 service; and

13 (6) Technology-related product or service means a product or service
14 used for information systems, surveillance, light detection and ranging,
15 or communications.

16 Sec. 13. A scrutinized company shall not bid on, submit a proposal
17 for, or enter into, directly or indirectly through a third party, any
18 contract or contract renewal with any public entity for any technology-
19 related product or service.

20 Sec. 14. A public entity shall require a company that submits a bid
21 or proposal or enters into any contract or contract renewal with any
22 public entity for any technology-related product or service to certify:

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

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

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

28 Sec. 15. (1) No public entity shall enter into any contract or
29 contract renewal that would result in any state or local government funds
30 being transferred:

31 (a) To a scrutinized company in connection with any technology-

1 related product or service; or

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

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

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

8 (ii) The contract is preapproved by the Department of Administrative
9 Services; and

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

12 (b) The good has been approved by the Federal Acquisition Regulatory
13 Council.

14 Sec. 16. (1) Any contract entered into in violation of the Foreign
15 Adversary Contracting Prohibition Act shall be null and void.

16 (2) Any scrutinized company that violates section 13 of this act or
17 that violates the certification provided pursuant to section 14 of this
18 act:

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

21 (i) Two hundred fifty thousand dollars;

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

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

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

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

31 (4) If a public entity believes that a company has violated the

1 certification provided pursuant to section 14 of this act, the public
2 entity shall give such company notice of the alleged violation. The
3 company shall then have sixty days to respond to the notice. The public
4 entity shall make a final determination on whether a violation of such
5 certification has occurred within sixty days after receipt of the
6 response from the company. If the public entity determines that a
7 violation has occurred, the public entity may refer the matter to the
8 Attorney General.

9 (5) Any individual may act as a whistleblower and report suspected
10 violations of section 13 of this act or suspected violations of the
11 certification provided pursuant to section 14 of this act to the Attorney
12 General. If the reported violation results in a civil penalty under this
13 section, the whistleblower shall be entitled to a reward equal to thirty
14 percent of the civil penalty assessed.

15 Sec. 17. Sections 17 to 22 of this act shall be known and may be
16 cited as the Nebraska Nonprofit Security Grant Program Act.

17 Sec. 18. For purposes of the Nebraska Nonprofit Security Grant
18 Program Act:

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

20 (2) Equipment means security equipment installed on real property,
21 including any building or improvement, that is owned or leased by the
22 nonprofit organization, including reinforced doors and gates, perimeter
23 lighting, exterior and interior door locking systems, alarm systems,
24 camera-based security systems, access-control systems, blast-resistant
25 film for windows or shatter-resistant glass, lock-down systems, public-
26 address systems, high-intensity lighting and alarms, and inspection and
27 screening systems;

28 (3) Planning means those activities that are related to protecting a
29 facility, the people within the facility, and the people with access to
30 the facility and providing for their functional needs. The term includes
31 developing and enhancing a nonprofit organization's security plans and

1 protocols, emergency contingency plans, and evacuation or shelter-in-
2 place plans and the materials that are required to conduct planning
3 activities;

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

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

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

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

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

16 (B) Has been unable to apply for a federal nonprofit security grant;
17 or

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

20 (b) Qualified nonprofit organization does not include:

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

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

23 (iii) An institution of postsecondary education;

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

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

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

30 (b) Security training and exercises or drills, including active
31 shooter and shelter-in-place training, for the nonprofit organization's

1 staff, members, and visitors; and

2 (c) Training-related expenses, including supplies, materials, and
3 training equipment.

4 Sec. 19. (1) The Nebraska Nonprofit Security Grant Program is
5 created. The program shall be administered by the Nebraska Emergency
6 Management Agency.

7 (2) In order to receive a grant under the program, a qualified
8 nonprofit organization shall submit an application to the agency on a
9 form prescribed by the agency. The agency may accept an application
10 submitted to the federal government for a federal nonprofit security
11 grant instead of the state application prescribed by the agency.

12 (3) Grants may be issued to qualified nonprofit organizations to
13 reimburse such organizations for the costs of target hardening and other
14 safety and security projects intended to mitigate vulnerabilities
15 identified in a vulnerability assessment completed by the qualified
16 nonprofit organization or by a vendor with whom the qualified nonprofit
17 organization has contracted, including projects involving:

18 (a) Planning;

19 (b) Equipment;

20 (c) Training; or

21 (d) Security personnel.

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

26 (5) The agency may begin issuing grants under the program on January
27 1, 2025.

28 (6) The agency shall establish a working group of stakeholders to
29 review and evaluate applications. The working group shall make
30 recommendations on funding decisions and shall provide such
31 recommendations to the agency.

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

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

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

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

11 Sec. 20. A qualified nonprofit organization shall not use grant
12 funds to purchase equipment for security personnel.

13 Sec. 21. It is the intent of the Legislature to appropriate five
14 hundred thousand dollars from the General Fund for each of fiscal years
15 2024-25 through 2028-29 to carry out the Nebraska Nonprofit Security
16 Grant Program Act.

17 Sec. 22. The agency may adopt and promulgate rules and regulations
18 to carry out the Nebraska Nonprofit Security Grant Program Act.

19 Sec. 23. Sections 23 to 29 of this act shall be known and may be
20 cited as the Wildland Fire Response Act.

21 Sec. 24. (1) The Wildland Incident Response Assistance Team is
22 created and for administrative purposes is part of the office of the
23 State Fire Marshal.

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

30 (3) Pursuant to the Emergency Management Act, the Adjutant General
31 and the Nebraska Emergency Management Agency may provide assistance to

1 the Wildland Incident Response Assistance Team following a state of
2 emergency proclamation issued by the Governor relating to a wildland fire
3 incident.

4 Sec. 25. The State Fire Marshal shall serve as the coordinator of
5 the Wildland Incident Response Assistance Team and shall:

6 (1) Establish squads within the team and select a squad leader and
7 squad members for each squad. The State Fire Marshal may consult with the
8 State Forester when establishing a squad, selecting a squad leader, or
9 selecting a squad member. The State Fire Marshal is limited to selecting
10 squad leaders and squad members from employees of the State Fire Marshal
11 and employees of the Nebraska Forest Service;

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

14 (3) Establish standards for the operation, training, equipment, and
15 administration of the Wildland Incident Response Assistance Team. It is
16 the intent of the Legislature that such standards should comply with the
17 standards established by the National Wildfire Coordinating Group or its
18 successor.

19 Sec. 26. (1) A squad leader or squad member of the Wildland
20 Incident Response Assistance Team shall have the powers, duties, rights,
21 privileges, and immunities and receive the compensation incidental to
22 employment of such leader or member by the State Fire Marshal or the
23 Nebraska Forest Service.

24 (2) Each squad leader is responsible for the organization,
25 administration, and operation of the squad to which the squad leader is
26 assigned.

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

30 (4) While operating under the Wildland Incident Response Assistance
31 Team, each squad member assigned to a wildland fire incident is subject

1 to the operational control of the squad leader assigned to such wildland
2 fire incident.

3 Sec. 27. (1) The office of the State Fire Marshal is responsible
4 for paying the compensation of any squad leader or squad member who is an
5 employee of the State Fire Marshal while such squad leader or squad
6 member is assigned to a wildland fire incident, including any overtime
7 worked by such squad leader or squad member.

8 (2) The Nebraska Forest Service is responsible for paying the
9 compensation of any squad leader or squad member who is an employee of
10 the Nebraska Forest Service while such squad leader or squad member is
11 assigned to a wildland fire incident, including any overtime worked by
12 such squad leader or squad member.

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

16 (4) The State Fire Marshal and the Nebraska Forest Service shall be
17 responsible for requesting adequate appropriations each fiscal year to
18 pay the expenses of any employee who is selected to be a squad leader or
19 squad member of the Wildland Incident Response Assistance Team, including
20 expenses predicted to be incurred pursuant to this section and section 28
21 of this act.

22 Sec. 28. The Wildland Incident Response Assistance Team may rent
23 equipment that is needed to respond to a wildland fire incident and shall
24 pay a reasonable rental fee for the use of such equipment. The Wildland
25 Incident Response Assistance Team is responsible for any loss or damage
26 to the rented equipment caused due to the negligent use or misuse of such
27 rented equipment by the Wildland Incident Response Assistance Team.

28 Sec. 29. The State Fire Marshal may adopt and promulgate rules and
29 regulations to carry out the Wildland Fire Response Act.

30 Sec. 30. (1) For purposes of this section:

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

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

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

6 (d) Program means the voluntary and publicly available chemical
7 security program provided by the federal agency as an alternative to the
8 federal standards.

9 (2) The Legislature finds that:

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

14 (b) The United States Congress allowed the statutory authority for
15 continuing regulation of the federal standards to expire on July 27,
16 2023;

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

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

24 (e) The federal agency has encouraged chemical facilities to
25 maintain security measures and offers a voluntary and publicly available
26 alternative chemical security program that provides facilities that
27 possess dangerous chemicals no-cost services and tools to identify risks
28 and improve chemical security.

29 (3) Beginning on the operative date of this section, a chemical
30 facility shall utilize the federal agency's program if such chemical
31 facility was required on or before July 27, 2023, to have a chemical

1 facility security program pursuant to 6 C.F.R. 27.200 et seq., as such
2 regulations existed on such date.

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

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

8 Sec. 31. (1) There is hereby established the Commission on Asian
9 American Affairs. For purposes of sections 31 to 37 of this act,
10 commission means the Commission on Asian American Affairs.

11 (2) The commission shall consist of fourteen members who shall be of
12 Asian ancestry. Members of the commission shall be appointed by the
13 Governor. The commission may have such nonvoting, ex officio members as
14 shall be appointed by the commission and who need not be of Asian
15 ancestry. The commission shall elect one of its members as chairperson.

16 (3) Members of the commission shall serve four-year terms or for the
17 unexpired term in the event of a vacancy. As the terms of the voting
18 members expire, their successors shall be appointed by the Governor from
19 a panel of nominees submitted by the public. An appointment for an
20 unexpired term shall follow the same procedure as for initial and
21 subsequent appointments. Voting members shall be eligible for
22 reappointment.

23 Sec. 32. The purpose of the commission is to join representatives
24 of Asian Americans in Nebraska to do all things which the commission may
25 determine to enhance the cause of Asian American rights and to develop
26 solutions to problems common to all Asian Americans residing in Nebraska.

27 Sec. 33. The commission may receive and administer funds from
28 state, federal, and other sources and may employ and fix the compensation
29 of an executive director of its own choosing who shall be an Asian
30 American person and a legal resident of the State of Nebraska. An office
31 for the executive director shall be provided.

1 Sec. 34. The functions of the commission are to:

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

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

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

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

12 (5) Administer sections 31 to 37 of this act;

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

15 (7) Develop programs to encourage the total involvement of Asian
16 American people in activities for the common benefit of the Asian
17 American community.

18 Sec. 35. The members of the commission shall each receive fifty
19 dollars for each day spent in the performance of their duties and shall
20 receive reimbursement for any expenses as provided in sections 81-1174 to
21 81-1177.

22 Sec. 36. (1) The commission shall meet at least once every calendar
23 quarter. Meetings shall be held in January, April, July, and October.
24 Special meetings may be called at the request of eight voting members.
25 Eight voting members of the commission shall constitute a quorum for the
26 transaction of business.

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

29 Sec. 37. (1) For purposes of administration of the commission
30 during the interim between regular quarterly meetings, there is hereby
31 established an executive board of the Commission on Asian American

1 Affairs consisting of the chairperson of the commission and four members
2 of the commission.

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

8 Sec. 38. Section 14-137, Reissue Revised Statutes of Nebraska, is
9 amended to read:

10 14-137 The style of ordinances of a city of the metropolitan class
11 shall be as follows: Be it ordained by the city council of the city
12 of All ordinances of the city shall be passed pursuant to
13 such rules and regulations as the city council may prescribe. Upon the
14 passage of all ordinances the yeas and nays shall be recorded in the
15 minutes of the city council, and a majority of the votes of all the
16 members of the city council shall be necessary for passage. No ordinance
17 shall be passed within a week after its introduction, except the general
18 appropriation ordinances for salaries and wages other than salaries of
19 the mayor and city council members. Ordinances of a general or permanent
20 nature shall be read by title on three different days unless three-
21 fourths of the city council vote to suspend this requirement, except that
22 such requirement shall not be suspended (1) for any ordinance for the
23 annexation of territory or the redrawing of boundaries for city council
24 election districts or wards or (2) as otherwise provided by law.

25 Sec. 39. Section 14-211, Reissue Revised Statutes of Nebraska, is
26 amended to read:

27 14-211 (1)(a) No ordinance passed by the city council of a city of
28 the metropolitan class, except when otherwise required by the general
29 laws of the state, by other provisions of sections 14-201 to 14-229, or
30 as provided in subdivision (1)(b) of this section, shall go into effect
31 before fifteen days from the time of its final passage.

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

4 (i) For the appropriation of money to pay the salary of officers or
5 employees of the city other than salaries of the mayor and city council
6 members; or

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

10 (2)(a) If during such fifteen days a petition, signed and verified
11 as provided in this section by electors of the city equal in number to at
12 least fifteen percent of the highest number of votes cast for any city
13 council member at the last preceding general city election, protesting
14 against the passage of such ordinance, shall be presented to the city
15 council, then such ordinance shall be suspended from going into
16 operation, and it shall be the duty of the city council to reconsider
17 such ordinance.

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

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

27 Sec. 40. Section 14-217.02, Reissue Revised Statutes of Nebraska, is
28 amended to read:

29 14-217.02 (1) Vacancies in the office of mayor or city council in a
30 city of the metropolitan class shall be filled as provided in section
31 32-568.

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

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

30 Sec. 41. Section 14-2104, Reissue Revised Statutes of Nebraska, is
31 amended to read:

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

5 (2)(a) (2) The board of directors shall set the salaries of the
6 chairperson and other members of the board of directors as provided in
7 this subsection. The chairperson of the board of directors of a
8 metropolitan utilities district shall be paid, as compensation for his or
9 her services, not to exceed the sum of one thousand two hundred sixty
10 dollars per month as of the effective date of this act. Each of the other
11 members of the board of directors shall be paid, as compensation for his
12 or her services, ~~not to exceed~~ the sum of one thousand one hundred twenty
13 dollars per month as of the effective date of this act.

14 (b) Subject to subdivision (c) of this subsection, Any adjustments
15 in compensation shall be made only at regular meetings of the board of
16 directors. Except as provided in subdivision (c) of this subsection, no
17 salary shall be increased by more than the average percentage change in
18 the unadjusted Consumer Price Index for All Urban Consumers published by
19 the Federal Bureau for Labor Statistics for the period since the last
20 salary increase plus one percent. The , and the salaries of the
21 chairperson and other members of such board shall not be increased more
22 often than once every two calendar years in any calendar year.

23 (c) The board of directors may place the issue on the ballot of
24 whether to increase the salary of the chairperson and other members of
25 such board by more than the percentage amount permitted in subdivision
26 (b) of this subsection at the next statewide general election for
27 approval by the registered voters of the metropolitan utilities district.
28 The board of directors shall determine the percentage of increase and
29 hold a public hearing regarding the increase. If the board of directors
30 approves the percentage by a vote of at least two-thirds of the members
31 of the board of directors, the board of directors shall transmit the

1 issue to the election commissioner or county clerk for placement on the
2 ballot at the next statewide general election subject to section 32-559.

3 (3) Members of the board of directors may be considered employees of
4 the district for purposes of participation in medical and dental plans of
5 insurance offered to regular employees. The dollar amount of any health
6 insurance premiums paid from the funds of the district for the benefit of
7 a member of the board of directors may be in addition to the amount of
8 compensation authorized to be paid to such director pursuant to this
9 section.

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

13 Sec. 42. Section 15-309, Reissue Revised Statutes of Nebraska, is
14 amended to read:

15 15-309 (1) Subject to subsection (2) of this section, the ~~The~~ city
16 council of a city of the primary class shall have the power by ordinance
17 to fix the salaries of the officers and employees of the city and provide
18 by ordinance for the forfeiting of the salary of any officer or employee.

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

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

17 Sec. 43. Section 19-412, Reissue Revised Statutes of Nebraska, is
18 amended to read:

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

29 (b) The city council of a city of the metropolitan or primary class
30 may place the issue on the ballot of whether to increase the salary of
31 the mayor or the city council members or both by more than the amount

1 permitted in subdivision (a) of this subsection for approval by the
2 registered voters of the city. The city council shall determine the
3 percentage of increase and hold a public hearing regarding the increase.
4 If the city council approves the percentage by a vote of at least two-
5 thirds of the members of the city council, the city clerk shall transmit
6 the issue to the election commissioner or county clerk for placement on
7 the ballot at the next statewide general election subject to section
8 32-559.

9 (2) The salary of any elective officer in a city under the
10 commission plan of government shall not be increased or diminished during
11 the term for which he or she was elected, except that when there are
12 officers elected to a city council, board, or commission having more than
13 one member and the terms of one or more members commence and end at
14 different times, the compensation of all members of such city council,
15 board, or commission may be increased or diminished at the beginning of
16 the full term of any member thereof. No person who has resigned or
17 vacated any office shall be eligible to be elected or appointed to such
18 office during the time for which he or she was elected when, during the
19 same time, the salary has been increased.

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

25 Sec. 44. Section 19-616, Reissue Revised Statutes of Nebraska, is
26 amended to read:

27 19-616 (1) The annual compensation of the mayor and city council
28 members in cities under the city manager plan of government shall be
29 payable quarterly in equal installments and shall be fixed by the city
30 council subject to subsection (2) of this section. The salary of any
31 appointive or elective officer shall not be increased or diminished

1 during the term for which such officer was elected or appointed, except
2 that when there are officers elected or appointed to the city council or
3 a board or commission having more than one member and the terms of one or
4 more members commence and end at different times, the compensation of all
5 members of such city council, board, or commission may be increased or
6 diminished at the beginning of the full term of any member thereof. No
7 person who has resigned or vacated any office shall be eligible to be
8 elected or appointed to such office during the time for which he or she
9 was elected or appointed when, during the same time, the salary has been
10 increased. For each absence from regular meetings of the city council,
11 unless authorized by a two-thirds vote of all members of the city
12 council, there shall be deducted a sum equal to two percent of such
13 annual salary.

14 (2)(a) The salaries of the mayor and city council members of a city
15 of the primary class shall be established by ordinance subject to the
16 requirements in this section. Except as provided in subdivision (b) of
17 this subsection, no such salary shall be increased by more than the
18 average percentage change in the unadjusted Consumer Price Index for All
19 Urban Consumers published by the Federal Bureau for Labor Statistics for
20 the period since the last salary increase plus one percent. No such
21 salary shall be increased more than once every two fiscal years. The
22 ordinance may establish the salary for the mayor or the city council
23 members or both.

24 (b) The city council may place the issue on the ballot of whether to
25 increase the salary of the mayor or the city council members or both by
26 more than the amount permitted in subdivision (a) of this subsection for
27 approval by the registered voters of the city. The city council shall
28 determine the percentage of increase and hold a public hearing regarding
29 the increase. If the city council approves the percentage by a vote of at
30 least two-thirds of the members of the city council, the city clerk shall
31 transmit the issue to the election commissioner or county clerk for

1 placement on the ballot at the next statewide general election subject to
2 section 32-559.

3 Sec. 45. Section 23-1114, Reissue Revised Statutes of Nebraska, is
4 amended to read:

5 23-1114 (1) Except as otherwise provided in subsection (4) of this
6 section, the The salaries of all elected officers of the county shall be
7 fixed by the county board prior to January 15 of the year in which a
8 general election will be held for the respective offices.

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

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

15 (4)(a) The salaries of the members of the county board shall be
16 established by resolution by the members of the county board subject to
17 the requirements in this section. Except as provided in subdivision (b)
18 of this subsection, no such salary shall be increased by more than the
19 average percentage change in the unadjusted Consumer Price Index for All
20 Urban Consumers published by the Federal Bureau for Labor Statistics for
21 the period since the last salary increase plus one percent. No such
22 salary shall be increased more than once every two fiscal years.

23 (b) The county board may place the issue on the ballot of whether to
24 increase the salary of the members of the county board by more than the
25 amount permitted in subdivision (a) of this subsection for approval by
26 the registered voters of the county. The county board shall determine the
27 percentage of increase and hold a public hearing regarding the increase.
28 If the county board approves the percentage by a vote of at least two-
29 thirds of the members of the county board, the county board shall
30 transmit the issue to the election commissioner or county clerk for
31 placement on the ballot at the next statewide general election subject to

1 section 32-559.

2 Sec. 46. Section 23-1114.07, Reissue Revised Statutes of Nebraska,
3 is amended to read:

4 23-1114.07 ~~Except for members~~ Members of the county board, ~~salaries~~
5 of county ~~shall set their own annual salary to be paid out of the general~~
6 ~~fund. Salaries of other~~ officers, including appointive full-time veterans
7 service officers, in counties of Class 6 or 7 shall be established by the
8 county board, except that the county assessor in counties of Class 7
9 shall receive a minimum annual salary of twenty thousand dollars, to be
10 paid periodically as other county employees out of the general fund.

11 Sec. 47. Section 70-624.02, Reissue Revised Statutes of Nebraska, is
12 amended to read:

13 70-624.02 The members of the board of directors shall be paid their
14 actual expenses, while engaged in the business of the district under the
15 authority of the board of directors, and, for their services, such
16 compensation as shall be fixed by the board of directors.

17 The boards of directors of those districts with gross revenue of
18 less than five hundred forty million dollars may fix compensation at not
19 to exceed thirteen thousand four hundred forty six thousand seven hundred
20 ~~twenty~~ dollars per year as to all members except the president and not
21 exceeding fifteen thousand one hundred twenty seven thousand five hundred
22 ~~sixty~~ dollars a year as to the president.

23 The boards of directors of those districts with gross revenue of
24 five hundred forty million dollars or more may fix compensation at not to
25 exceed twenty-six thousand eight hundred eighty thirteen thousand four
26 ~~hundred forty~~ dollars per year as to all members except the president or
27 chairperson of the board and not exceeding thirty thousand two hundred
28 forty fifteen thousand one hundred twenty dollars per year as to the
29 president or chairperson of the board. All salaries and compensation
30 shall be obligations against and be paid solely from the revenue of the
31 district.

1 No director shall receive any other compensation from the district,
2 except as provided in this section, during the term for which he or she
3 was elected or appointed or in the year following the expiration of his
4 or her term, and resignation from such board of directors shall not be
5 construed as the termination of the term of office for which he or she
6 was elected or appointed.

7 A member of the board of directors of a public power district
8 organized under the laws of this state shall not be limited to service on
9 the board of directors in the district in which he or she has been
10 elected so as to preclude service in similar positions of trust on a
11 state, regional, or national level which are the result of his or her
12 membership as a director on such board. For time expended in his or her
13 duties in such position of trust, the director shall not be limited to
14 any existing provisions of law of this state relating to payment of per
15 diem for services as a member of such board of directors, but shall be
16 entitled to receive such additional compensation as may be provided for
17 such service, regardless of the fact that such compensation may be paid
18 from funds to which his or her district has made contributions in the
19 form of dues or otherwise.

20 Sec. 48. Section 80-102, Reissue Revised Statutes of Nebraska, is
21 amended to read:

22 80-102 (1)(a) The county veterans service committee shall meet at
23 least once each year or on call of the chairperson or of any three
24 members of the committee. It shall determine the amount it considers
25 necessary for providing aid, including food, shelter, fuel, wearing
26 apparel, medical or surgical aid, or funeral expenses, for the purposes
27 identified in subdivisions (b) and (c) of this subsection. The county
28 veterans service committee shall certify the amount so determined to the
29 county board, which amount shall be reviewed and considered by the county
30 board in making a levy for an aid fund.

31 (b) The county veterans service committee shall determine the amount

1 of aid described in subdivision (a) of this subsection for persons who
2 are in need of the aid and who:

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

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

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

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

15 (i) Husbands and wives, surviving spouses, and minor children under
16 eighteen years of age of veterans described in subdivision (b) of this
17 subsection; and

18 (ii) Payment of expenses of last illness and burial when a veteran
19 described in subdivision (b) of this subsection or a surviving spouse
20 described in subdivision (c)(i) of this subsection passes away leaving no
21 next of kin.

22 (2) The county board of each county shall annually make such levy or
23 levies as needed to raise the required aid fund referred to in subsection
24 (1) of this section as the county board determines is necessary, not
25 exceeding one cent on each one hundred dollars upon the taxable value of
26 all the taxable property of such county. Any unexpended balance of the
27 aid fund at the end of any fiscal year shall remain in the fund, without
28 reappropriation, for future use. The committee or a majority thereof
29 shall fix the amount to be paid to each claimant, subject to any amounts
30 in the aid fund, and promptly disburse the same to or for the benefit of
31 the claimant. The county clerk shall issue a warrant to the committee or

1 to the county veterans service officer as directed by the committee upon
2 the county treasurer for such amount as the committee shall from time to
3 time request and as amounts in the aid fund permit. The committee shall
4 at the end of each year make a detailed report of its transactions to the
5 county board. Such reports shall be accompanied with vouchers for all
6 money disbursed.

7 Sec. 49. Section 80-104, Revised Statutes Cumulative Supplement,
8 2022, is amended to read:

9 80-104 Except for cremated remains disposed of as provided in
10 section 71-1382.01, it shall be the duty of the county veterans service
11 committee to cause to be decently interred the body of any person who has
12 been discharged or otherwise separated with a characterization of
13 honorable or general (under honorable conditions) from any arm of the
14 military or naval service of the United States, ~~has served during a~~
15 ~~period of war, as defined in section 80-401.01, or during a period of~~
16 ~~actual hostilities in any war or conflict in which the United States~~
17 ~~Government was engaged prior to April 6, 1917, and who dies may hereafter~~
18 ~~die~~ without leaving sufficient means to defray such person's ~~his or her~~
19 funeral expenses. Such burials should not be made in any cemetery or
20 burial grounds used exclusively for the burial of pauper dead. The
21 committee shall permit the If surviving relatives of the deceased ~~shall~~
22 ~~desire~~ to conduct the funeral if ~~they request shall be permitted~~ to do
23 so.

24 Sec. 50. Section 80-316, Revised Statutes Cumulative Supplement,
25 2022, is amended to read:

26 80-316 (1) The department shall provide domiciliary and nursing home
27 care and subsistence to:

28 (a) All persons who either served on active duty in the armed forces
29 of the United States other than active duty for training or served on
30 active duty for training in the Nebraska National Guard and who were
31 discharged or otherwise separated with a characterization of honorable or

1 general (under honorable conditions) if, at the time of making an
2 application for admission to one of the Nebraska veterans homes:

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

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

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

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

15 (c) Subject to subsection (2) of this section, the surviving spouses
16 and parents of eligible servicemen and servicewomen as defined in
17 subdivision (a) of this subsection who died while in the service of the
18 United States or who have since died of a service-connected disability as
19 determined by the United States Department of Veterans Affairs; and

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

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

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

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

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

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

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

7 Sec. 51. Section 81-503, Reissue Revised Statutes of Nebraska, is
8 amended to read:

9 81-503 (1) The State Fire Marshal may appoint a first assistant fire
10 marshal and such deputies, inspectors, and other persons as in his or her
11 discretion may be necessary to carry into effect sections 81-501.01 to
12 81-531 and 81-5,151 to 81-5,157, the Nebraska Natural Gas Pipeline Safety
13 Act of 1969, the Petroleum Products and Hazardous Substances Storage and
14 Handling Act, the Wildland Fire Response Act, and any other statutory
15 duties imposed upon the State Fire Marshal. He or she may also, at his or
16 her pleasure, remove such first assistant and any of such deputies as he
17 or she may deem advisable. The deputies and inspectors shall perform such
18 duties and have and enjoy all the rights, privileges, and immunities
19 granted by law. The State Fire Marshal may also employ such clerical
20 assistants, office employees, and other persons as he or she may deem
21 advisable and necessary to carry such duties into effect.

22 (2) The State Fire Marshal, the first assistant fire marshal, each
23 deputy, and each inspector shall wear full uniform when performing
24 statutory duties. The State Fire Marshal shall determine the type of
25 clothing, in relation to the duty being performed, necessary to meet the
26 full uniform requirement.

27 Sec. 52. Section 81-830, Reissue Revised Statutes of Nebraska, is
28 amended to read:

29 81-830 (1) The Office of Homeland Security is created. The Governor
30 shall appoint the Director of State Homeland Security who shall serve at
31 the pleasure of the Governor.

1 (2) The purpose of the office is to ensure preparedness by the State
2 of Nebraska in response to or in mitigation of terrorist acts or threats
3 from foreign adversaries. The office shall coordinate efforts regarding
4 domestic security issues with the United States Department of Homeland
5 Security. The Director of State Homeland Security shall serve as the
6 contact between the state and the United States Department of Homeland
7 Security.

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

14 **(b)** The Governor shall appoint other members of the policy group who
15 shall serve at the will of the Governor.

16 **(c)** The Executive Board of the Legislative Council shall select one
17 member of the Government, Military and Veterans Affairs Committee and one
18 member of the Appropriations Committee of the Legislature to serve as ex
19 officio nonvoting members of the policy group.

20 **(d)** ~~(b)~~ The policy group shall report electronically by March 1 of
21 each year to the executive board identifying federal funds sent to the
22 state in support of its preparedness activities and indicating the use of
23 federal funds received by the state for homeland security, including
24 specific amounts allocated to any unit of state or local government and
25 the use to which the unit shall apply the funds.

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

28 Sec. 53. Sections 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28,
29 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46,
30 47, 48, 49, 50, 51, and 56 of this act become operative three calendar
31 months after the adjournment of this legislative session. The other

1 sections of this act become operative on their effective date.

2 Sec. 54. If any section in this act or any part of any section is
3 declared invalid or unconstitutional, the declaration shall not affect
4 the validity or constitutionality of the remaining portions.

5 Sec. 55. Original section 81-830, Reissue Revised Statutes of
6 Nebraska, is repealed.

7 Sec. 56. Original sections 14-137, 14-211, 14-217.02, 14-2104,
8 15-309, 19-412, 19-616, 23-1114, 23-1114.07, 70-624.02, 80-102, and
9 81-503, Reissue Revised Statutes of Nebraska, and sections 80-104 and
10 80-316, Revised Statutes Cumulative Supplement, 2022, are repealed.

11 Sec. 57. Since an emergency exists, this act takes effect when
12 passed and approved according to law.