

LEGISLATIVE BILL 848

Approved by the Governor March 11, 2024

Introduced by Brewer, 43.

A BILL FOR AN ACT relating to the Nebraska National Guard; to amend sections 55-134 and 55-136, Reissue Revised Statutes of Nebraska; to change the maximum age for the Adjutant General; and to repeal the original sections. Be it enacted by the people of the State of Nebraska,

Section 1. Section 55-134, Reissue Revised Statutes of Nebraska, is amended to read:

55-134 Except as provided in section 55-136, the The Nebraska National Guard shall consist of the regularly enlisted personnel between the ages of seventeen and sixty years organized, armed, and equipped as hereinafter provided, of warrant officers between the ages of eighteen and sixty-two years, and of commissioned officers between the ages of eighteen and sixty-four years. The number of officers and enlisted personnel of the National Guard shall be determined from time to time and organized so as to at least meet the minimum requirements of the National Guard organizations allotted to this state. No discrimination shall be made in the enlistment of an individual, advancement in grade, or appointment of officers on account of race, color, creed, or sex.

Sec. 2. Section 55-136, Reissue Revised Statutes of Nebraska, is amended to read:

55-136 (1) The Adjutant General may hold such position until the age of sixty-six years.

(2) Staff officers, including officers of the pay, inspection, subsistence, medical, and Adjutant General's department, shall have had previous military experience and shall hold their positions until they have reached the age of sixty-four years unless retired prior to that time by reason of resignation, disability, or pursuant to applicable regulations issued by the Department of the Army or the Department of the Air Force. Vacancies among such officers shall be filled by appointment by the Governor or the Adjutant General.

(3) All commissioned officers shall be entitled to an honorable discharge in writing at the expiration of their term of office on properly accounting for all property for which they are responsible.

Sec. 3. Original sections 55-134 and 55-136, Reissue Revised Statutes of Nebraska, are repealed.