

## LEGISLATIVE BILL 494

Approved by the Governor May 12, 1973

Introduced by Miscellaneous Subjects Committee, Waldron, 42, Chmn.; Cavanaugh, 9; Carpenter, 48; Mahoney, 5; Skarda, 7; Savage, 10

AN ACT to adopt the Nebraska Disaster and Civil Defense Act of 1973; to amend sections 81-829.05 to 81-829.09, 81-829.13 to 81-829.15, 81-829.18, 81-829.19, 81-829.21 to 81-829.30, 81-829.32, and 81-829.35, Reissue Revised Statutes of Nebraska, 1943; to provide for financial aid to the Civil Air Patrol; to repeal the original sections, and also sections 81-829.10 to 81-829.12, 81-829.20, 84-110, 84-111, 84-111.01, and 84-112 to 84-119, Reissue Revised Statutes of Nebraska, 1943; and to declare an emergency.

Be it enacted by the people of the State of Nebraska,

Section 1. That section 81-829.05, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

~~81-829.05:~~ Sections ~~81-829.05 to 81-829.30~~ 1 to 33 of this act may be cited as the Nebraska Disaster and Civil Defense Act of 1973.

Sec. 2. That section 81-829.06, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

~~81-829.06: Because---of---the---existing---and increasing-possibility-of-the-occurrence-of-disasters--of unprecedented-size--and--destructiveness--resulting--from enemy-attack;-sabotage;-or-other-hostile-action;-or--from fire;-flood;-earthquake;-or-other-natural-causes;-and--in order-to-insure-that-preparations-of-this-state--will--be adequate-to-deal-with-such-disasters;-and--generally--to provide-for-the-common-defense-and-to-protect-the--public peace;-health;-and-safety;-and-to-preserve-the-lives--and property-of-the-people-of-the-state;-it-is--herety--found and-declared-to-be-necessary:--(1)--To-establish--a--state Civil-Defense-Agency;-and-to-authorize-the--establishment of-local-organizations-for-civil-defense-in-the-political subdivisions--of--the--state;--(2)--to--confer--upon--the Governor-and-upon-the-executive-heads-or-governing-bodies of-the-political-subdivisions-of-the-state-the-emergency powers-provided--herein;-and--(3)--to--provide--for--the~~

rendering-of-mutual-aid-among-the-political--subdivisions of-the-state-and-with-other-states-and-to-cooperate-with the-federal-government-with-respect-to-the-carrying-out of-civil-defense-functions. The purposes of this act and the policy of the state are to:

(1) Reduce the vulnerability of people and communities of this state to damage, injury, and loss of life and property resulting from natural or manmade disasters, civil disturbances, or hostile military or paramilitary action;

(2) Prepare for prompt and efficient rescue, care, and treatment of persons victimized or threatened by disasters;

(3) Provide a setting conducive to the rapid and orderly start of restoration and rehabilitation of persons and property affected by disasters;

(4) Clarify and strengthen the roles of the Governor, state agencies, and local governments in the prevention of, preparation for, and response to and recovery from disasters;

(5) Authorize and provide for cooperation in disaster prevention, preparedness, response, and recovery;

(6) Authorize and provide for coordination of activities relating to disaster prevention, preparedness, response, and recovery by agencies and officers of this state, and similar state, local interstate, federal-state, and foreign activities in which the state and its political subdivisions may participate;

(7) Provide a disaster management system embodying all aspects of preparedness and response;

(8) Assist in prevention of disasters caused or aggravated by inadequate planning for and regulation of public and private facilities and land use; and

(9) Provide for the funding of activities incidental to carrying out the purposes of this act.

Sec. 3. That section 81-829.07, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

81-829.07: It-is--further--declared--to--be--the purpose-of-sections-81-829.05-to-81-829.30-and-the-policy of-the-state-that-all-civil--defense--functions--of--this



state be coordinated--to--the--maximum--extent--with--the comparable functions of the federal government--including its various departments and agencies, of other states and localities, and of private agencies of every type, to the end that the most effective preparation and use may be made of the nation's manpower, resources, and facilities for dealing with any disaster that may occur. Nothing in this act shall be construed to:

(1) Interfere with the course or conduct of a labor dispute, except that actions otherwise authorized by this act or other laws may be taken when necessary to forestall or mitigate imminent or existing danger to public health or safety;

(2) Interfere with dissemination of news or comment on public affairs, but any communications facility or organization, including but not limited to radio and television stations, wire services, and newspapers, may be required to transmit or print public service messages furnishing information or instructions in connection with a disaster emergency;

(3) Affect the jurisdiction or responsibilities of police forces, firefighting forces, units of the armed forces of the United States, or of any personnel thereof, when on active duty, but state, local, and interjurisdictional disaster emergency plans shall place reliance upon the forces available for performance of functions related to disaster emergencies; or

(4) Limit, modify, or abridge the authority of the Governor to proclaim martial law or exercise any other powers vested in him under the Constitution, statutes, or common law of this state independent of, or in conjunction with, any provisions of this act.

Sec. 4. That section 81-829.08, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

~~81-829.08:~~ As used in sections ~~81-829.05--to 81-829.30~~ 1 to 33 of this act, unless the context otherwise requires:

(1) Civil defense shall mean the preparation for and the carrying out of all emergency functions, other than functions for which military forces are primarily responsible, to prevent, minimize, and repair injury and damage resulting from disasters caused by enemy attack, sabotage or other hostile action, or by fire, flood, earthquake, or other natural causes. These functions include, without limitation, firefighting services,



police services, medical and health services, rescue, engineering, air raid warning services, communications, radiological, chemical and other special weapons defense, evacuation of persons from stricken areas, emergency welfare services, civilian war aid, emergency transportation, existing or properly assigned functions of plant protection, temporary restoration of public utility services, and other functions related to civilian protection, together with all other activities necessary or incidental to the preparation for and carrying out of the foregoing functions.

(2) Civil defense emergency shall mean that--in accordance with section 304 of the Federal Civil--Defense Act of 1950 the existence of such an emergency has been proclaimed declared by the President of the United States or by concurrent resolution of Congress if the--President in such proclamation, or--Congress--in--such--resolution, finds pursuant to applicable federal law finding that an attack upon the United States has occurred or is anticipated and that the national safety therefore requires the invocation of the emergency authority provided for in such Federal Civil--Defense Act of 1950 by federal law. Such emergency also shall exist in the event of an enemy attack or other hostile action within the State of Nebraska, or when the President determines that any attack has been made upon or is anticipated within a designated geographic area which includes all or a part of the State of Nebraska. Any such emergency shall terminate upon the proclamation of the--termination thereof by the President, or the passage by Congress of a concurrent resolution, in the manner provided by federal law, or by proclamation of the Governor, or by resolution of the Legislature, terminating such emergency.

(3) Local organization for--civil--defense--shall mean an organization established in accordance with the provisions of sections 84-829.05 to 84-829.30 by state or local authority to perform local civil defense functions. Disaster shall mean occurrence or imminent threat of widespread or severe damage, injury, or loss of life or property resulting from any natural or manmade cause, including but not limited to fire, flood, earthquake, wind, storm, wave action, oil spill, or other water contamination requiring emergency action to avert danger or damage, volcanic activity, epidemic, air contamination, blight, drought, infestation, explosion, riot, civil disturbance, or hostile military or paramilitary action.

(4) Mobile support unit shall mean an organization for civil defense established in accordance with the provisions of sections 84-829.05 to 84-829.30 17



to 19 of this act by state or local authority to be dispatched by the Governor to supplement local organizations for civil defense in a stricken area.

(5) Local government shall mean counties, villages, and cities of all classes.

(6) Civil defense worker shall include any full-time or part-time paid, volunteer, or auxiliary employee of this state or other states, territories, possessions, or the District of Columbia, of the federal government or any neighboring country, or of any political subdivision thereof, or of any agency or organization performing civil defense services at any place in this state subject to the order or control of, or pursuant to a request of, the state government or any political subdivision thereof and shall also include instructors and students in recognized educational programs where civil defense services are taught. A recognized educational program shall include programs in educational institutions duly existing under the laws of this state and such other educational programs as shall be established by the state civil defense agency or otherwise under the provisions of this act.

Sec. 5. That section 81-829.09, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

81-829.09. The Governor shall have general direction and control of the Civil Defense Agency, and shall be responsible for the carrying out of the provisions of sections 81-829.05 to 81-829.30, and in the event of disaster beyond local control, may assume direct operational control over all or any part of the civil defense functions within this state. (1) The Governor shall be responsible for meeting the dangers to the state and people presented by disasters, and in the event of disaster beyond local control, he may assume direct operational control over all or any part of the civil defense functions within this state. He shall have general direction and control of the disaster response and the state civil defense agency and shall be responsible for carrying out the provisions of this act.

(2) In order to effect the policy and purposes of this act, the Governor may issue proclamations and make, amend, and rescind the necessary orders, rules, and regulations to carry out the provisions of this act.

(3) A disaster emergency shall be declared by proclamation of the Governor if he finds that a disaster has occurred or that the occurrence or threat thereof is



imminent. The state of disaster emergency shall continue until the Governor finds that the threat or danger has passed or the disaster has been dealt with to the extent that emergency conditions no longer exist and terminates the state of disaster emergency by proclamation, but no state of disaster emergency may continue for longer than thirty days unless renewed by the Governor. The Legislature by resolution may terminate a state of disaster emergency at any time, whereupon the Governor shall issue a proclamation ending the state of disaster emergency. All proclamations issued under this subsection shall indicate the nature of the disaster, the area or areas threatened, and the conditions which have brought it about or which make possible the termination of the state of disaster emergency. All proclamations shall be disseminated promptly by means calculated to bring its contents to the attention of the general public and, unless the circumstances attendant upon the disaster prevent or impede, shall be promptly filed with the state civil defense agency, the Secretary of State, and the clerks of the local governments in the area to which it applies.

(4) Proclamation of a state of disaster emergency shall activate the disaster response and recovery aspects of the state, local, and interjurisdictional disaster and civil defense plans applicable to the political subdivision or area in question and be the authority for the deployment and use of any forces to which the plan or plans apply and for use or distribution of any supplies, equipment, and materials and facilities assembled, stockpiled, or arranged to be made available pursuant to this act or any other provision of law relating to disaster emergencies.

(5) During the continuance of any state of disaster emergency the Governor shall be commander-in-chief of the organized and unorganized militia and of all other forces available for emergency duty. To the greatest extent practicable, the Governor shall delegate or assign command authority by prior arrangement embodied in appropriate proclamations, orders, rules, and regulations, but nothing shall restrict his authority to do so by orders issued at the time of the disaster emergency.

(6) In addition to any other powers conferred upon the Governor by law, he may:

(a) Suspend the provisions of any regulatory statute prescribing the procedures for conduct of state business, or the orders, rules, or regulations of any state agency, if strict compliance with the provisions of



any statute, order, rule, or regulation would in any way prevent, hinder, or delay necessary action in coping with the emergency;

(b) Utilize all available resources of the state government and of each political subdivision of the state as are reasonably necessary to cope with the disaster emergency;

(c) Transfer the direction, personnel, or functions of state departments and agencies or units thereof for the purpose of performing or facilitating disaster response;

(d) Subject to any applicable requirements for compensation under section 22 of this act, commandeer or utilize any private property if he finds this necessary to cope with the disaster emergency;

(e) Direct and compel the evacuation of all or part of the population from any stricken or threatened area within the state if he deems this action necessary for the preservation of life or other disaster mitigation, response, or recovery;

(f) Prescribe routes, modes of transportation, and destinations in connection with evacuation;

(g) Control ingress and egress to and from a disaster area, the movement of persons within the area, and the occupancy of premises therein;

(h) Suspend or limit the sale, dispensing, or transportation of alcoholic beverages, firearms, explosives, and combustibles; and

(i) Make provisions for the availability and use of temporary emergency housing.

(7) In the event of a civil defense emergency, as defined in section 4 of this act, the Governor shall assume direct operational control over all or any part of the civil defense functions within this state.

Sec. 6. (1) The state civil defense agency shall be maintained in the office of the Adjutant General. The Adjutant General shall administer the provisions of this act, subject to the direction and control of the Governor, and shall receive such compensation for these services as shall be determined by the Governor. The agency shall have an assistant director and such other professional, technical, secretarial, and clerical employees as are necessary for



the performance of its functions.

(2) The agency shall maintain a state disaster plan and keep it current, which plan may include:

(a) A history of Nebraska disasters;

(b) An analysis of past and potential disasters, including an identification of the functions and resources required to cope with such disasters. The expected frequency of occurrence of disasters, along with the severity of their effect, shall indicate the priority of preparedness efforts of the disaster agencies of the state;

(c) Measures to be undertaken to accomplish disaster damage assessment and situation analysis, warning, direction and control, coordination of operating forces, emergency resource management, emergency information and official instructions, communications and other necessary support to disaster response operations, and coordination and cooperation of federal, state, local, and nongovernmental agencies so as to provide a prompt and effective response to disaster situations to prevent and minimize the injury and damage caused by disasters;

(d) The provision of disaster relief and assistance to individuals, political subdivisions of the state, and state agencies;

(e) Identification of areas of the state particularly vulnerable to a disaster;

(f) Recommendations for preventive and preparedness measures designed to eliminate or reduce disasters or their impact, such as zoning, building, and other land-use control, and safety measures for securing mobile homes or other nonpermanent or semipermanent structures;

(g) Authorization and procedures for the erection or other construction of temporary works designed to protect against or mitigate danger, damage, or loss from flood, conflagration, or other disaster;

(h) Assistance to local officials in designing local disaster response plans;

(i) Preparation and distribution to the appropriate state and local officials of catalogs of federal, state, and private disaster assistance programs; and



(j) Other necessary matters.

(3) The agency shall take an integral part in the development and revision of local and interjurisdictional disaster and civil defense plans prepared under section 11 of this act. To this end, it shall employ or otherwise secure the services of professional and technical personnel capable of providing expert assistance to political subdivisions, their disaster and civil defense agencies, and to interjurisdictional disaster and civil defense agencies. Such personnel shall consult with subdivisions and agencies on a regularly scheduled basis and shall make field examinations of the areas, circumstances, and conditions to which particular local and interjurisdictional disaster and civil defense plans are intended to apply, and may suggest or require revisions.

(4) In preparing and revising the state disaster plan and other civil defense plans, the agency shall seek the advice and assistance of other agencies of government and the private sector. In advising local and interjurisdictional agencies, the agency shall encourage them to also seek advice from these sources.

(5) The state disaster and other civil defense plans or any part thereof may be incorporated in rules or regulations of the agency.

(6) The state civil defense agency shall:

(a) Determine the requirements of the state and its political subdivisions for basic necessities such as food, clothing, and shelter in various disaster situations;

(b) Procure and preposition supplies, medicines, materials, and equipment;

(c) Promulgate standards and requirements for local and interjurisdictional disaster and civil defense plans;

(d) Periodically review local and interjurisdictional disaster and civil defense plans;

(e) Provide for mobile support units;

(f) Establish and operate or assist political subdivisions, their disaster and civil defense agencies, and interjurisdictional disaster and civil defense agencies to establish and operate training programs and programs of public information;



(g) Make surveys of industries, resources, and facilities within the state, both public and private, as are necessary to carry out the purposes of this act;

(h) Plan and make arrangements for the availability and use of any private facilities, services, and property and, if necessary and if in fact used, provide for payment for use under terms and conditions agreed upon;

(i) Establish a register of persons with types of training and skills important in disaster prevention, preparedness, response, and recovery;

(j) Establish a register of mobile and construction equipment and temporary housing available for use in a disaster emergency;

(k) Prepare, for issuance by the Governor, proclamations, orders, rules, and regulations as are necessary or appropriate in coping with disasters;

(l) Cooperate with the federal government and any public or private agency or entity in achieving any purpose of this act and in implementing programs for disaster prevention, preparation, response, and recovery; and

(m) Do other things necessary, incidental, or appropriate for the implementation of this act.

Sec. 7. (1) While annual appropriations are adequate to meet the normal needs, the Legislature recognizes the necessity for anticipating and making advance provision to care for the unusual and extraordinary burdens imposed on the state and its political subdivisions by disasters or a civil defense emergency as defined in section 4 of this act. To meet such situations, it is the intention of the Legislature to confer emergency powers on the Governor, acting through the Adjutant General and the state civil defense agency, and vesting him with adequate power and authority within the limitation of available funds in the Governor's Emergency Fund to meet any such emergency or disaster.

(2) There is hereby established a fund to be known as the Governor's Emergency Fund. It shall be expended, upon direction of the Governor, for any state of emergency. The emergency declaration shall set forth the emergency and shall state that it requires the expenditure of public funds to furnish immediate aid and relief. The Adjutant General shall administer such fund.



Any money in the fund available for investment shall be invested by the state investment officer pursuant to the provisions of sections 72-1237 to 72-1259.

(3) It is the legislative intent that the first recourse shall be to funds regularly appropriated to state and local agencies. If the Governor finds that the demands placed upon these funds are unreasonably great, he may make funds available from the Governor's Emergency Fund. Expenditures may be made upon direction of the Governor for any or all of the civil defense functions as defined in section 4 of this act, or to meet the intent of the state disaster plans as outlined in section 6 of this act.

(4) Assistance shall be provided from the Governor's Emergency Fund to political subdivisions of this state which have suffered from a disaster to such an extent as to impose a severe financial burden exceeding the ordinary capacity of the subdivision affected. Applications for aid under this section shall be made to the state civil defense agency on such forms as shall be prescribed and furnished by the agency and which shall require the furnishing of sufficient information to determine eligibility for aid and the extent of the financial burden incurred. The agency may call upon other agencies of the state in evaluating such applications. The Adjutant General shall review each application for aid under the provisions of this section and recommend its approval or disapproval, in whole or in part, to the Governor. If the Governor approves, he shall determine and certify to the Adjutant General the amount of aid to be furnished. The Adjutant General shall thereupon issue his voucher to the Director of Administrative Services, who shall issue his warrants therefor to the applicant.

(5) When a disaster emergency has been proclaimed by the Governor, or in the event of a civil defense emergency, the Adjutant General, upon order of the Governor, shall have authority to expend funds to meet but not be limited to the following situations:

(a) The purposes of this act to include civil defense functions as defined in section 4 of this act, and the responsibilities of the Governor and the state civil defense agency as outlined in sections 5 and 6 of this act;

(b) Employing for the duration of the emergency additional personnel and contracting or otherwise procuring all necessary appliances, supplies, and equipment;



(c) Performing services for and furnishing materials and supplies to state government agencies, counties, and municipalities with respect to performance of any duties enjoined by law upon such agencies, counties, and municipalities which they are unable to perform because of extreme climatic phenomena, and receiving reimbursement in whole or in part from such agencies, counties, and municipalities able to pay therefor under such terms and conditions as may be agreed upon by the Adjutant General and any such agency, county, or municipality;

(d) Performing services for and furnishing materials to any individual in connection with alleviating hardship and distress growing out of extreme climatic phenomena, and receiving reimbursement in whole or in part from such individual under such terms as may be agreed upon by the Adjutant General and such individual;

(e) Performing services to counties and municipalities with respect to quelling riots and civil disturbances;

(f) Opening up, repairing, and restoration of roads and highways;

(g) Repairing and restoration of bridges;

(h) Furnishing transportation for supplies to alleviate suffering and distress;

(i) Restoration of means of communication;

(j) Furnishing medical services and supplies to prevent the spread of disease and epidemics;

(k) Quelling riots and civil disturbances;

(l) Training of individuals or governmental agencies for the purpose of perfecting the performance of emergency assistance duties as defined in the state disaster plans;

(m) Procurement and storage of special emergency supplies or equipment, determined by the Adjutant General as required to provide rapid response by state government to assist counties and municipalities in impending or actual emergencies; and

(n) Such other measures as are customarily necessary to furnish adequate relief in cases of catastrophe or disaster.



(6) The Governor may receive such voluntary contributions as may be made from any source to aid in carrying out the purposes of this section and shall credit the same to the Governor's Emergency Fund.

(7) All obligations and expenses incurred by the Governor in the exercise of the powers and duties vested in him by the provisions of this section shall be paid by the State Treasurer out of available funds in the Governor's Emergency Fund, and the Director of Administrative Services shall draw his warrants upon the State Treasurer for the payment of such sum, or so much thereof as may be required, upon receipt by him of proper vouchers duly approved by the Adjutant General.

(8) The provisions of this section shall be liberally construed in order to accomplish the purposes of this act and to permit the Governor to adequately cope with any emergency which may arise, and the powers vested in the Governor by this section shall be construed as being in addition to all other powers presently vested in him, and not in derogation of any existing powers.

(9) Such funds as may be made available by the government of the United States for the purpose of alleviating distress from disasters may be accepted by the State Treasurer, and shall be credited to the Governor's Emergency Fund unless otherwise specifically provided in the act of Congress making such funds available.

Sec. 8. (1) In addition to disaster prevention measures as included in the state, local, and interjurisdictional disaster plans, the Governor shall consider on a continuing basis steps that could be taken to prevent or reduce the harmful consequences of disasters. At his direction, and pursuant to any other authority and competence they have, state agencies, including but not limited to those charged with responsibilities in connection with flood plain management, stream encroachment and flow regulation, weather modification, fire prevention and control, air quality, public works, land use and land-use planning, and construction standards, shall make studies of disaster prevention-related matters. The Governor, from time to time, shall make recommendations to the Legislature, local governments, and other appropriate public and private entities as may facilitate measures for prevention or reduction of the harmful consequences of disasters.

(2) The appropriate state agencies, in conjunction with the state civil defense agency, shall



keep land uses and construction of structures and other facilities under continuing study and identify areas which are particularly susceptible to severe land shifting, subsidence, flood, or other catastrophic occurrence. The studies under this subsection shall concentrate on means of reducing or avoiding the dangers caused by any such occurrence or the consequences thereof.

(3) If the state civil defense agency believes on the basis of the studies or other competent evidence that an area is susceptible to a disaster of catastrophic proportions without adequate warning, that existing building standards and land-use controls in that area are inadequate and could add substantially to the magnitude of the disaster, and that changes in zoning regulations, other land-use regulations, or building requirements are essential in order to further the purposes of this section, it shall specify the essential changes to the Governor. If the Governor upon review of the recommendation finds after public hearing that the changes are essential, he shall so recommend to the agencies or local governments with jurisdiction over the area and subject matter. If no action or insufficient action pursuant to his recommendations is taken within the time specified by the Governor, he shall so inform the Legislature and request legislative action appropriate to mitigate the impact of disaster.

(4) The Governor, at the same time that he makes his recommendations pursuant to subsection (3) of this section, may suspend the standard or control which he finds to be inadequate to protect the public safety and by regulation place a new standard or control in effect. The new standard or control shall remain in effect until rejected by resolution of the Legislature or amended by the Governor. During the time it is in effect, the standard or control contained in the Governor's regulation shall be administered and given full effect by all relevant regulatory agencies of the state and local governments to which it applies. The Governor's action shall be subject to judicial review but shall not be subject to temporary stay pending litigation.

Sec. 9. The state civil defense agency shall ascertain what means exist for rapid and efficient communications in times of disaster emergencies. The agency shall consider the desirability of supplementing these communications resources or of integrating them into a comprehensive state or state-federal telecommunications or other communications system or network. In studying the character and feasibility of any system or its several parts, the agency shall



evaluate the possibility of multipurpose use thereof for general state and local governmental purposes. The agency shall make recommendations with respect thereto to the Governor as appropriate.

Sec. 10. The state civil defense agency shall keep continuously apprised of weather conditions which present danger of precipitation or other climatic activity severe enough to constitute a disaster. If the agency determines that precipitation that may result from weather modification operations, either by itself or in conjunction with other precipitation or climatic conditions or activity, would create or contribute to the severity of a disaster, it shall direct the officer or agency empowered to issue permits for weather modification operations to suspend the issuance of the permits, and thereupon no permits may be issued until the agency informs the officer or agency that the danger has passed.

Sec. 11. That section 81-829.18, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

81-829.18: Each county and each city is hereby authorized and directed to establish a local organization for civil defense, and any village which is desirous of establishing such an organization may do so, in accordance with the state civil defense plan and program, and each such local organization for civil defense shall have a director who shall be appointed by the governing body of such county or city, as the case may be, and who shall have direct responsibility for the organization, administration, and operation of such local organization for civil defense, subject to the direction and control of the governing body of the political subdivision concerned; Provided, that the director of any county civil defense organization may also be appointed director for any city or village within such county, and provided further, the director of any city or village civil defense organization may also be appointed county director. Each local organization for civil defense shall perform civil defense functions within the territorial limits of the political subdivision within which it is organized, except that the county organization for civil defense shall perform no civil defense functions within the territorial limits of cities which are already being performed by such city civil defense organizations, unless the approval of the city civil defense director be first obtained. (1) Each political subdivision within this state shall be within the jurisdiction of and served by the state civil defense agency and by a local or interjurisdictional civil



defense organization which is headed by a director or coordinator who shall devote full time to his duties, or shall be served by a part-time director or coordinator who has a full-time assistant or deputy who shall be qualified as set forth in subsection (5) of this section.

(2) Each county shall maintain a civil defense agency or participate in a local or interjurisdictional civil defense agency which, except as otherwise provided under the provisions of this act, has jurisdiction over and serves the entire county. Each city and village which is desirous of establishing a civil defense organization may do so in accordance with the state civil defense plan and program. Each such local or interjurisdictional civil defense organization shall have a director who shall be appointed by the governing body or bodies of such government or governments, and who shall have direct responsibility for the organization, administration, and operation of such local organization for civil defense, subject to the direction and control of the governing body or bodies of the political subdivision or subdivisions concerned. The director of any county civil defense organization may also be appointed director for any city or village within such county, and the director of any city or village civil defense organization may also be appointed county director. Each local or interjurisdictional organization for civil defense shall perform civil defense functions within the territorial limits of the political subdivision or subdivisions within which it is organized, except that the interjurisdictional and county organizations for civil defense shall perform no civil defense functions within the limits of a county or city which are already being performed by such county or city civil defense organizations, unless the approval of the respective county or city civil defense director be first obtained.

(3) The Governor may determine that some cities need civil defense organizations or agencies of their own. He shall, after making such determination, require that such civil defense organizations be established and maintained by issuing a directive in the form of a rule or regulation. He shall make his determination on the basis of a city's disaster vulnerability and capability of response related to population size and concentration. The civil defense agency of a county shall cooperate with the civil defense agencies of cities within the county but shall not have jurisdiction within a city having its own civil defense agency. The state civil defense agency shall publish and keep current a list of cities required to have civil defense agencies.



(4) Any provision of this act or other law to the contrary notwithstanding, the Governor may require a local government to establish and maintain a civil defense agency and organization jointly with one or more contiguous local governments, if he finds that the establishment and maintenance of an agency or participation therein is made necessary by circumstances or conditions that make it unusually difficult to provide disaster prevention, preparedness, response, or recovery services under other provisions of this act. Such interjurisdictional agencies shall be organized generally in accord with the Interlocal Cooperation Act and pursuant to the provisions of section 84-143.

(5) Local or interjurisdictional civil defense directors or coordinators, or their assistants or deputies, who are required by this act or rules and regulations of the Governor to devote full time to their duties shall be qualified in accord with criteria established for the state by the Governor and announced by him in a rule or regulation. Such directors or coordinators shall be paid for their services in an amount comparable to other officers of local governments. A minimum annual salary for such local or interjurisdictional civil defense director or coordinator shall be based on the combined population of the jurisdictions served, as follows: Having a population of less than three thousand, five thousand five hundred dollars; having a population of three thousand but less than nine thousand, six thousand dollars; having a population of nine thousand but less than sixteen thousand, six thousand five hundred dollars; having a population of sixteen thousand but less than twenty thousand, seven thousand five hundred dollars; having a population of twenty thousand but less than sixty thousand, eight thousand dollars; and having a population of sixty thousand or more, comparable to other officers of local governments as determined by the governing body or bodies.

(6) Each political subdivision, except those directly managing a local or interjurisdictional civil defense agency, shall have a liaison officer designated to facilitate the cooperation and protection of that subdivision in the work of disaster prevention, preparedness, response, and recovery.

(7) The principal executive officer of each political subdivision of the state shall notify the state civil defense agency of the manner in which the subdivision is providing or securing civil defense and disaster services, identify the person who heads the agency from which the service is obtained, and furnish



such additional information relating thereto as the state agency requires.

(8) Each local and interjurisdictional civil defense agency shall prepare and keep current a local or interjurisdictional disaster and civil defense plan for its jurisdiction. Such plans shall be in conformance with the requirements established in section 6 of this act.

(9) Each local or interjurisdictional civil defense agency shall prepare, keep current, and distribute to all appropriate officials in written form a clear and complete statement of the disaster responsibilities of all local agencies and officials and of the disaster chain of command.

Sec. 12. (1) If the Governor finds that two or more adjoining counties would be better served by an interjurisdictional arrangement than by maintaining separate disaster and civil defense agencies and services, he may delineate by order or regulation an interjurisdictional area adequate to plan for, prevent, or respond to disaster in that area and direct steps to be taken as are necessary, including the creation of an interjurisdictional relationship, a joint disaster emergency plan, mutual aid, or an area organization for disaster planning and services. A finding of the Governor pursuant to this subsection shall be based on one or more factors related to the difficulty of maintaining an efficient and effective disaster prevention, preparedness, response, and recovery system without such interjurisdictional arrangement, such as:

(a) Small or sparse population;

(b) Limitations on public financial resources severe enough to make maintenance of a separate disaster agency and services unreasonably burdensome;

(c) Unusual vulnerability to disaster as evidenced by a past history of disasters, topographical features, drainage characteristics, disaster potential, and presence of disaster-prone facilities or operations;

(d) The interrelated character of the counties in a multicounty area; or

(e) Other relevant conditions or circumstances.

(2) If the Governor finds that a vulnerable area lies only partly within this state and includes territory in another state or states and that it would be desirable



to establish an interstate relationship, mutual aid, or an area organization for disaster, he shall take steps to that end as desirable. If this action is taken with jurisdictions that have enacted the Interstate Civil Defense and Disaster Compact, any resulting agreement or agreements may be considered supplemental agreements pursuant to Article VI of that compact.

(3) If the other jurisdiction or jurisdictions with which the Governor proposes to cooperate pursuant to subsection (2) of this section have not enacted that compact, he may negotiate special agreements with the jurisdiction or jurisdictions. Any agreement, if sufficient authority for the making thereof does not otherwise exist, shall become effective only after its text has been communicated to the Legislature and if the Legislature has not disapproved it prior to adjournment of the next session competent to consider it, or within thirty days of its submission, whichever is later.

Sec. 13. That section 81-829.19, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

81-829.19: (1) The director or coordinator of each local or interjurisdictional organization for civil defense shall, in collaboration with other public and private agencies within this state, develop or cause to be developed mutual aid arrangements for reciprocal civil defense aid and assistance in case of disaster too great to be dealt with unassisted. Such arrangements shall be consistent with the state civil defense plan and program, and in time of emergency it shall be the duty of each local or interjurisdictional organization for civil defense to render assistance in accordance with the provisions of such mutual aid arrangements.

(2) The director or coordinator of each local or interjurisdictional organization for civil defense may, subject to the approval of the Governor, enter into mutual aid arrangements with civil defense agencies or organizations in other states for reciprocal civil defense aid and assistance in case of disaster too great to be dealt with unassisted.

(3) In passing upon local disaster plans, the Governor shall consider whether they contain adequate provisions for the rendering and receipt of mutual aid.

(4) It shall be a sufficient reason for the Governor to require an interjurisdictional agreement or arrangement, pursuant to section 12 of this act, that the area involved and political subdivisions therein have



available equipment, supplies, and forces necessary to provide mutual aid on a regional basis and that the political subdivisions have not already made adequate provision for mutual aid, but in requiring the making of an interjurisdictional arrangement to accomplish the purpose of this section, the Governor need not require establishment and maintenance of an interjurisdictional agency or arrangement for any other disaster purposes.

Sec. 14. That section 81-829.22, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

81-829.22: Each political subdivision shall have the power to make appropriations in the manner provided by law for making appropriations for the ordinary expenses of such political subdivision for the payment of expenses of its local or interjurisdictional organization for civil defense and in furthering the purposes of this act.

Sec. 15. (1) A local disaster emergency may be declared only by the principal executive officer of a political subdivision. It shall not be continued or renewed for a period in excess of seven days except by or with the consent of the governing board of the political subdivision. Any order or proclamation declaring, continuing, or terminating a local disaster emergency shall be given prompt and general publicity and shall be filed promptly with the clerk of the local government and the state civil defense agency.

(2) The effect of a declaration of a local disaster emergency shall be to activate the response and recovery aspects of any and all applicable local or interjurisdictional disaster or civil defense plans and to authorize the furnishing of aid and assistance thereunder.

(3) No interjurisdictional agency or official thereof may declare a local disaster emergency unless expressly authorized by the agreement pursuant to which the agency functions, but an interjurisdictional disaster or civil defense agency or organization shall provide aid and services in accordance with the agreement and disaster or civil defense plan pursuant to which it functions.

Sec. 16. That section 81-829.23, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:



~~84-829-23:~~ In the event of a civil defense emergency, as defined in section ~~84-829-08~~ 4 of this act, each county, ~~and each city or village regardless of class,~~ local government may make emergency expenditures, enter into contracts, and incur obligations for civil defense purposes regardless of existing statutory limitations and requirements pertaining to appropriation, budgeting, levies, or the manner of entering into contracts; Provided, that in the event that any such expenditure, contract, or obligation will be in excess of or in violation of existing statutory limitations or requirements, then before any such expenditure, contract, or obligation is undertaken it shall be approved by a vote of the governing body of such county, city, or village, as the case may be; provided further, that such governing body may not vote its approval unless and until they shall have secured the certificate of the county local or interjurisdictional civil defense director servng his government that such action is necessary in the public interest for civil defense purposes.

Sec. 17. That section 81-829.13, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

~~84-829-43:~~ The Governor or his duly designated representative is authorized to establish such number of mobile support units as may be necessary to reinforce disaster and civil defense organizations in stricken areas and with due consideration of the plans of the federal government and of other states. He shall appoint a commander for each such unit who shall have primary responsibility for the organization, administration and operation of such battalion. The commander shall keep and maintain a roster of members of said mobile support units, and only such persons whose names appear on said roster shall be deemed members of such mobile support units and entitled to the benefits provided by section ~~84-829-44~~ 18 of this act, and no political subdivision shall be entitled to reimbursement as provided in section ~~84-829-45~~ 19 of this act unless the individual on whose behalf reimbursement is sought was duly enrolled on the roster as provided herein at the time the obligation was incurred. Mobile support units shall be called to duty upon orders of the Governor and shall perform their functions in any part of the state, or, upon the conditions specified in mutual aid plans and agreements, in accordance with the Interstate Civil Defense and Disaster Compact, and in this section, in other states.

Sec. 18. That section 81-829.14, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:



~~84-829-14:~~ Personnel of mobile support units while on duty, whether within or without the state, shall: (1) If they are employees of the state, have the powers, duties, rights, privileges, and immunities, and receive the compensation incidental to their employment; (2) if they are employees of a political subdivision of the state, and whether serving within or without such political subdivision, have the powers, duties, rights, privileges, and immunities, and receive the compensation incidental to their employment; and (3) if they are not employees of the state or a political subdivision thereof, be entitled to compensation by the state at four dollars-per-day at rates to be established by the Governor, and shall be entitled to the same rights and immunities as are provided by law for the employees of this state. All personnel of mobile support units shall, while on duty, be subject to the operational control of the authority in charge of disaster and civil defense activities in the area in which they are serving, and shall be reimbursed for all actual and necessary travel and subsistence expenses in accordance with existing state travel regulations.

Sec. 19. That section 81-829.15, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

~~84-829-15:~~ (1) The state shall reimburse a political subdivision for (a) the compensation paid and actual and necessary travel, subsistence, and maintenance expenses of employees of such political subdivision while serving as members of a mobile support unit, (b) all payments for death, disability, or injury of such employees incurred in the course of such duty, as provided in the Nebraska Workmen's Compensation Act, and (c) all losses of or damage to supplies and equipment of such political subdivision resulting from the operation of such mobile support unit.

(2) The state shall pay a fee for rental of privately-owned equipment used in the operation of a mobile support unit, and shall also pay for any loss or damage to privately-owned equipment used in mobile support. The fee for rental of said privately-owned equipment shall be fixed, and any loss or damage to said equipment shall be assessed by a board consisting of three persons to be appointed by the Governor, one of whom shall be the Director-State---Engineer State Purchasing Officer.

Sec. 20. That section 81-829.21, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:



84-829-24: (1) All functions provided for in this section act and all other activities relating to civil defense are hereby declared to be governmental functions. Neither the state nor any political subdivision thereof nor other agencies of the state or political subdivision thereof, nor, except in cases of willful misconduct, gross negligence or bad faith, any civil defense worker complying with or reasonably attempting to comply with sections-84-829-05-to-84-829-30 the provisions of this act, or any order, rule or regulation promulgated pursuant to the provisions of sections-84-829-05-to-84-829-30 this act, or pursuant to any ordinance relating to black-out or other precautionary measures enacted by any political subdivision of the state shall be liable for the death of or injury to persons, or for damage to property, as a result of any such activity. The provisions of this section shall not affect the right of any person to receive benefits to which he would otherwise be entitled under the provisions of sections-84-829-05--to--84-829-30 this act, or under the Nebraska Workmen's Compensation Act, or under any pension law, nor the right of any person to receive any benefits or compensation under any act of Congress.

(2) Any requirement for a license to practice any professional, mechanical or other skill shall not apply to any authorized civil defense worker who shall, in the course of performing his duties as such, practice such professional, mechanical or other skill during a civil defense emergency or declared disaster emergency.

~~{3} As used in this section the term civil defense worker shall include any full or part-time paid, volunteer or auxiliary employee of this state, or other states, territories, possessions or the District of Columbia, of the federal government, or any neighboring country, or of any political subdivision thereof, or of any agency or organization, performing civil defense services at any place in this state subject to the order or control of, or pursuant to a request of, the state government or any political subdivision thereof and shall also include instructors and students in recognized educational programs where civil defense services are taught. A recognized educational program shall be deemed to include programs in educational institutions duly existing under the laws of this state and such other educational programs as shall be established by the Civil Defense Agency or otherwise under sections 84-829-05 to 84-829-30.~~

{4} {3} Any civil defense worker, as defined in this section act, performing civil defense services at



any place in this state pursuant to agreements, compacts, or arrangements for mutual aid and assistance, to which the state or a political subdivision thereof is a party, shall possess the same powers, duties, immunities and privileges he would ordinarily possess if performing his duties in the state, province or political subdivision thereof in which normally employed or rendering services.

Sec. 21. (1) This state hereby enacts into law and enters into the Interstate Civil Defense and Disaster Compact with all states bordering this state which have enacted or shall hereafter enact the compact in the form substantially as adopted in this state.

(2) The Governor may enter into the compact with any state which does not border this state if he finds that joint action with the state is desirable in meeting common intergovernmental problems of emergency disaster planning, prevention, response, and recovery.

(3) Nothing in subsections (1) and (2) of this section shall be construed to limit previous or future entry into the Interstate Civil Defense and Disaster Compact of this state with other states.

(4) If any person holds a license, certificate, or other permit issued by any state or political subdivision thereof evidencing the meeting of qualifications for professional, mechanical, or other skills, the person may render aid involving that skill in this state to meet an emergency or disaster, and this state shall give due recognition to the license, certificate, or other permit.

Sec. 22. (1) Each person within this state shall conduct himself and keep and manage his affairs and property in ways that will reasonably assist and will not unreasonably detract from the ability of the state and the public successfully to meet disaster emergencies. This obligation includes appropriate personal service and use or restriction on the use of property in time of disaster emergency. This act neither increases nor decreases these obligations but recognizes their existence under the Constitution and statutes of this state and the common law. Compensation for services or for the taking or use of property shall be only to the extent that obligations recognized in this subsection are exceeded in a particular case and then only to the extent that the claimant may not be deemed to have volunteered his services or property without compensation.

(2) No personal services may be compensated by the state or any subdivision or agency thereof, except



pursuant to statute or local law or ordinance.

(3) Compensation for property shall be made only if the property was commandeered or otherwise used in coping with a disaster emergency and its use or destruction was ordered by the Governor or a member of the disaster emergency forces of this state to whom the Governor has duly delegated such authority.

(4) Any person claiming compensation for the use, damage, loss, or destruction of property under this act shall file a claim therefor with the state civil defense agency in the form and manner the agency provides.

(5) Unless the amount of compensation on account of property damaged, lost, or destroyed is agreed upon between the claimant and the state civil defense agency, the amount of compensation shall be calculated in the same manner as compensation due for a taking of property pursuant to the condemnation laws of this state.

(6) Nothing in this section shall apply to or authorize compensation for the destruction or damaging of standing timber or other property in order to provide a fire break or to the release of waters or the breach of impoundments in order to reduce pressure or other danger from actual or threatened flood.

Sec. 23. That section 81-829.24, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

~~81-829.24~~ Whenever the federal government or any agency or officer thereof shall offer to the state, or through the state to any political subdivision thereof, services, equipment, supplies, materials, or funds by way of gift, grant, or loan, for purposes of disaster response and civil defense, the state, acting through the Governor, or such political subdivision, acting with the consent of the Governor and through its executive officer or governing body, may accept such offer and upon such acceptance the Governor of the state or executive officer or governing body of such political subdivision may authorize any officer of the state or such political subdivision, as the case may be, to receive such services, equipment, supplies, materials, or funds on behalf of the state or such political subdivision, and subject to the terms of the offer and the rules and regulations, if any, of the agency making the offer. All such funds received on behalf of the state shall be deposited in the state treasury and by the State Treasurer credited to the Military Department Cash Fund.



Sec. 24. That section 81-829.25, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

~~81-829:25:~~ Whenever any person, firm, or corporation shall offer to the state or to any political subdivision thereof, services, equipment, supplies, materials, or funds by way of gift, grant, or loan, for purposes of disaster response and civil defense, the state, acting through the Governor, or such political subdivision, acting through its executive officer or governing body, may accept such offer and upon such acceptance the Governor of the state or executive officer or governing body of such political subdivision may authorize any officer of the state or of the political subdivision, as the case may be, to receive such services, equipment, supplies, materials, or funds on behalf of the state or such political subdivision, and subject to the terms of the offer. All such funds received on behalf of the state shall be deposited in the state treasury and by the State Treasurer credited to the Military Department Cash Fund.

Sec. 25. That section 81-829.26, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

~~81-829:26:~~ In carrying out the provisions of ~~sections 81-829:05 to 81-829:30~~ this act, the Governor and the executive officers or governing bodies of the political subdivisions of the state are directed to utilize the services, equipment, supplies, and facilities of existing departments, offices, and agencies of the state and of the political subdivisions thereof to the maximum extent practicable, and the officers and personnel of all such departments, ~~officers offices~~, and agencies are directed to cooperate with and extend such services and facilities to the Governor and to the disaster response and civil defense organizations of the state upon request.

Sec. 26. That section 81-829.27, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

~~81-829:27:~~ No organization for disaster response and civil defense established under the authority of ~~sections 81-829:05 to 81-829:30~~ this act shall participate in any form of political activity, nor shall it be employed directly or indirectly for political purposes.



Sec. 27. That section 81-829.28, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

~~81-829:28:~~ No person shall be employed or associated in any capacity in any disaster response and civil defense organization established under the provisions of ~~sections 81-829:05 to 81-829:30~~ this act who advocates or has advocated a change by force or violence in the constitutional form of the government of the United States or in this state or the overthrow of any government in the United States by force or violence, or who has been convicted of or is under indictment or information charging any subversive act against the United States. Each person who is appointed to serve in an organization for disaster response and civil defense shall, before entering upon his duties, take an oath, in writing, before a person authorized to administer oaths in this state; Provided, that the Adjutant General and any subordinate civil defense officer within this state, designated by the Adjutant General in writing, shall be qualified to administer any such oath within this state under such regulations as the Adjutant General shall prescribe. The oath shall be substantially as follows:

I ....., do solemnly swear (or affirm) that I will support and defend the Constitution of the United States and the Constitution of the State of Nebraska, against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties upon which I am about to enter. And I do further swear (or affirm) that I do not advocate, nor am I a member of any political party or organization that advocates the overthrow of the government of the United States or of this state by force or violence; and that during such time as I am a member of the (name of civil defense organization), I will not advocate nor become a member of any political party or organization that advocates the overthrow of the government of the United States or of this state by force or violence. So help me God.

Sec. 28. That section 81-829.29, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

~~81-829:29:~~ Whenever an oath is required by section ~~81-829:28~~ 27 of this act, the affirmation of a person conscientiously scrupulous of taking an oath shall have the same effect.



Sec. 29. That section 81-829.30, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

~~81-829.30:~~ It shall be the duty of every organization for disaster response and civil defense established pursuant to the provisions of sections 81-829.05 to 81-829.30 this act and of the officers thereof to execute and enforce such orders, rules, and regulations as may be made by the Governor under authority of sections 81-829.05 to 81-829.30 this act. Each such organization shall have available for inspection at its office all orders, rules, and regulations made by the Governor, or under his authority.

Sec. 30. That section 81-829.32, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

~~81-829.32:~~ The governing body of any city or village having a paid or volunteer fire department or of any rural or suburban fire protection district; each political subdivision of this state is hereby required to take the necessary action to permit the movement of its fire and other emergency equipment and personnel, or such equipment and personnel as defined in the state, local, or interjurisdictional disaster or civil defense plans, outside the limits of such city, village, or district political subdivision in order to render aid, in the event of major disaster or civil defense emergency, as such term is terms are defined in subdivision (2) of section 81-829.08 section 4 of this act, or in connection with any program of practice or training for such disaster or civil defense emergency when such program is conducted, or participated in by the Civil Defense Agency of this state state civil defense agency. Such movement may be to any point in this state, or may be into any adjoining state when mutual aid arrangements have been entered into on behalf of this state with such other state as authorized by subdivision (5) of section 81-829.14 section 21 of this act. Such cities, villages, or districts political subdivisions may contract for insurance against any liability for personal injuries or property damage that may be incurred by them or by their personnel, as the result of any movement made pursuant to this section.

Sec. 31. That section 81-829.35, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

~~81-829.35:~~ Any person owning or controlling real estate or other premises who voluntarily and without



compensation grants a license or privilege, or otherwise permits the designation or use of the whole or any part or parts of such real estate or premises for the purpose of sheltering persons during an actual, impending, mock or practice attack or disaster shall, together with his successors in interest, if any, not be civilly liable for negligently causing the death of, or injury to, any person on or about such real estate or premises, or loss of, or damage to, the property of such person, at any time such real estate or premises are actually used for such purpose.

Sec. 32. The Legislature hereby declares that the organization and resources of the Nebraska Wing of the Civil Air Patrol are an important element of the civil defense of the state, and as such the Civil Air Patrol is vital to the welfare and security of the state. The Legislature further finds and declares that the effectiveness of the Nebraska Wing of the Civil Air Patrol could be economically enhanced by a program of fiscal support by the state. It is the purpose of sections 32 and 33 of this act to encourage the further development of the civil defense capability of the Nebraska Wing of the Civil Air Patrol and to authorize a program of fiscal support to effectuate this purpose.

Sec. 33. The Adjutant General, as administrator of the state civil defense agency, is hereby authorized to expend any funds provided pursuant to section 32 of this act to assist the Nebraska Wing of the Civil Air Patrol in obtaining, improving, and rehabilitating aircraft, vehicles, and communications equipment and services. Such expenditures shall be within the limitation of funds available, upon request of the Nebraska Wing Commander of the Civil Air Patrol, and with the advice of the Director of Aeronautics.

Sec. 34. That original sections 81-829.05 to 81-829.09, 81-829.13 to 81-829.15, 81-829.18, 81-829.19, 81-829.21 to 81-829.30, 81-829.32, and 81-829.35, Reissue Revised Statutes of Nebraska, 1943, and also sections 81-829.10 to 81-829.12, 81-829.20, 84-110, 84-111, 84-111.01, and 84-112 to 84-119, Reissue Revised Statutes of Nebraska, 1943, are repealed.

Sec. 35. Since an emergency exists, this act shall be in full force and take effect, from and after its passage and approval, according to law.