

LEGISLATIVE BILL 653

Approved by the Governor April 5, 1978

Introduced by Banking, Commerce and Insurance Committee,
DeCamp, 40, Chmn.; Labedz, 5; Mills, 44; Merz,
1; Schmit, 23

AN ACT relating to bonds; to provide blanket surety bond coverage for state employees; to amend sections 2-1201, 2-1505, 3-103, 8-104, 8-105, 11-119, 11-121, 11-201, 48-158, 48-609, 48-618, 48-701, 53-109, 55-123, 55-126, 55-127, 55-150, 57-917, 60-432, 60-1303, 60-1502, 68-703, 71-1, 132.11, 71-2611, 71-3808, 72-1241, 80-401.02, 81-111, 81-151, 81-811, 81-8, 128, 81-1108.14, 83-101.02, 83-128, 84-106, 84-206, and 84-801, Reissue Revised Statutes of Nebraska, 1943, section 48-804.03, Revised Statutes Supplement, 1976, and section 71-222.01, Reissue Revised Statutes of Nebraska, 1943, as amended by section 18, Legislative Bill 722, Eighty-fifth Legislature, Second Session, 1978; and to repeal the original sections, and also section 11-120, Reissue Revised Statutes of Nebraska, 1943.

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

Section 1. That section 2-1201, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

2-1201. There shall be and hereby is created a State Racing Commission consisting of three members who shall be appointed and may be for cause removed by the Governor. One member shall be appointed each year for a term of three years. The members shall serve until their successors are appointed and qualified. Not more than two members of said commission shall belong to the same political party; no two of them shall reside, when appointed, in the same congressional district; and no two of said members shall reside in any one county. Any vacancy shall be filled by appointment by the Governor for the unexpired term. The members shall serve without compensation, but shall be reimbursed for their actual expenses incurred in the performance of their duties. The members of the commission shall be bonded under the blanket surety bond required by section 11-201. ~~each give bond to the state in the sum of ten thousand dollars, with surety or sureties to be approved by the Governor, conditioned for the faithful performance of~~

~~their duties and to account for the money coming into the hands of the commission, the premiums on said bonds to be allowed and paid as other expenses of the commission:~~

Sec. 2. That section 2-1505, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

2-1505. The commission shall designate a chairman, a vice-chairman, and such other officers as it may desire and may, from time to time, change such designation. A majority of the commission shall constitute a quorum, and the concurrence of a majority in any matter within their duties shall be required for its determination. Each of the members of the commission shall receive a per diem of twenty dollars per day for each day in the performance of his duties on the commission, but no member shall receive more than seven hundred fifty dollars in any one year, and in addition shall be entitled to expenses, including traveling expenses, necessarily incurred in the discharge of his duties on the commission. ~~The commission shall provide for the execution of surety bonds for all employees and officers who shall be entrusted with funds or property,~~ and shall provide for an annual audit of the accounts of receipts and disbursements. Employees and officers shall be bonded by the blanket surety bond required by section 11-201.

Sec. 3. That section 3-103, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

3-103. There is hereby created a department of government to be known as the Department of Aeronautics. The chief administrative officer of the department shall be the director, to be known as the Director of Aeronautics. He shall be appointed by the Governor, subject to confirmation by the Legislature, with due regard to his fitness through aeronautical education and by knowledge of and recent practical experience in aeronautics. The director shall devote full time to the performance of his official duties and shall not have any pecuniary interest in, stock in or bonds of any civil aeronautics enterprise. He shall, before assuming the duties of his office, take and subscribe an oath, such as is required of state officers. The director shall be bonded by the blanket surety bond required by section 11-201. ~~and execute a bond to the State of Nebraska as provided in section 11-119, with corporate surety to be approved by the Governor, conditioned for the faithful discharge of the duties of his office. The bond shall be filed in the office of the Secretary of State and the~~

~~premium thereon shall be paid by the department.~~ The director shall receive such compensation as the Governor, with the approval of the commission, shall determine, subject to the provisions of the legislative appropriations bill.

Sec. 4. That section 8-104, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

8-104. The director shall, before assuming the duties of office, take and subscribe to the constitutional oath of office, and file the same in the office of the Secretary of State, and shall be bonded under the blanket surety bond required by section 11-201. ~~execute to the State of Nebraska a bond as provided in section 11-201, with corporate surety to be approved by the Governor, conditioned for the faithful discharge of the duties of his office. The bond shall be filed in the office of the Secretary of State and the premium thereon shall be paid by the State of Nebraska.~~

Sec. 5. That section 8-105, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

8-105. (1) The director may employ such deputies, examiners, and other assistants as he may need to discharge in a proper manner the duties imposed upon him by law. Neither the director, nor any deputy or assistant, shall employ any relative, or any relative of any deputy or assistant in the work of the department. The deputies, examiners, and other assistants shall perform such duties as shall be assigned to them. The director shall, with the approval of the Governor, fix the compensation of the deputies, examiners, and other assistants, which shall be paid either monthly or on a biweekly basis.

(2) The deputies, examiners, and other assistants, before assuming the duties of office, shall be bonded under the blanket surety bond required by section 11-201. ~~execute to the State of Nebraska a bond in the penal sum of such amount as may be directed by the Governor. All such bonds shall have corporate surety, shall be approved by the Governor, and shall be conditioned for the faithful performance of the duties of the office. The bonds shall be filed in the office of the Secretary of State and the premiums on the bonds shall be paid by the State of Nebraska.~~

Sec. 6. That section 11-119, Reissue Revised Statutes of Nebraska, 1943, be amended to read as

follows:

11-119. The following named officers shall execute a bond with penalties of the following amounts:

- (1) The Governor, fifty thousand dollars;
- (2) The Lieutenant Governor, fifty thousand dollars;
- (3) The Auditor of Public Accounts, fifty thousand dollars;
- (4) The Secretary of State, fifty thousand dollars;
- (5) The Attorney General, fifty thousand dollars;
- (6) The State Treasurer, not less than six hundred thousand dollars, and not more than double the amount of money that may come into his hands, to be fixed by the Governor;
- ~~{7}--The---Commissioner---of---Education,---fifty thousand-dollars;~~
- ~~{8}--The--secretary--of--the---Game---and---Parks Commission,--fifty-thousand-dollars;~~
- ~~{9}--The-head-of-each-executive-state--department, fifty--thousand---dollars,---except---the---Director---of Administrative--Services--which--shall--be--one---million dollars;~~
- {10} {7} Each county attorney, in a sum not less than one thousand dollars, to be fixed by the county board;
- {11} {8} Each clerk of the district court, not less than five thousand dollars, nor more than one hundred thousand dollars, to be determined by the county board;
- {12} {9} Each county clerk, not less than one thousand dollars, nor more than one hundred thousand dollars, to be determined by the county board; Provided, that when a county clerk also has the duties of other county offices the minimum bond shall be two thousand dollars;
- {13} {10} Each county treasurer, not less than ten thousand dollars, and not more than the amount of money that may come into his hands, to be determined by

the county board;

{14} 111 Each county judge, five thousand dollars;

{15} 112 Each sheriff, in counties of not more than twenty thousand inhabitants, five thousand dollars; over twenty thousand inhabitants, ten thousand dollars;

{16} 113 Each county superintendent of public instruction or district superintendent of public instruction, one thousand dollars;

{17} 114 Each county surveyor, five hundred dollars;

{18} 115 Each county commissioner or supervisor, in counties of not more than twenty thousand inhabitants, one thousand dollars; over twenty thousand and not more than thirty thousand inhabitants, two thousand dollars; over thirty thousand and not more than fifty thousand inhabitants, three thousand dollars; over fifty thousand inhabitants, five thousand dollars;

{19} 116 Each register of deeds in counties having a population of more than sixteen thousand five hundred inhabitants, not less than two thousand dollars nor more than one hundred thousand dollars to be determined by the county board;

{20} 117 Each constable, three hundred dollars;

{21} 118 Each township clerk, two hundred fifty dollars;

{22} 119 Each township treasurer, two thousand dollars;

{23} 120 Each county assessor, not more than five thousand dollars and not less than two thousand dollars;

{24} 121 Each school district treasurer, not less than five hundred dollars, nor more than double the amount of money that may come into his hands, the amount to be fixed by the president and secretary of the district;

{25} 122 Each road overseer, two hundred fifty dollars; and

{26} 123 Each member of a county weed district board, and the manager thereof, such amount as may be

determined by the county board of commissioners or supervisors of each county, with the same amount to apply to each member of any particular board.

All other state officers, department heads, and employees shall be bonded under the blanket surety bond required by section 11-201.

Sec. 7. That section 11-121, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

11-121. Any officer or person who is entrusted with funds belonging to the State of Nebraska or any county thereof, which may come into his possession by any appropriation or otherwise, shall be responsible for the same upon his bond. When any officer or person is entrusted with any such fund and there is no provision of law requiring him to give a bond in a certain specified sum, he shall give bond in double the amount of the sum so entrusted to him, which in the case of state funds shall be approved by the Chief Justice of the Supreme Court, and deposited in the office of the Secretary of State. In the case of county funds, such bonds shall be approved by the county board and deposited in the county clerk's office. No warrant shall be issued or money paid over to such officer or person until said bond is filed as herein provided. The provisions of this section shall not be construed as requiring any additional bond to be furnished by state officers or employees bonded by the blanket bond specified in section 11-201.

Sec. 8. That section 11-201, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

11-201. It shall be the duty of the Director of Insurance:

~~{1} To determine which officers and employees of the state should furnish individual, blanket, or other bond, where bond is not required to be given by any specific statute;~~

{2} {1} To prescribe the amount, terms, and conditions of any bond where the amount or terms are not fixed by any specific statute. The director, in prescribing the amount, conditions, and terms, shall consider the type of risks to be bonded, relationship of the bond premium to risks involved, past and projected trends for bond premiums, and any other factors the director may, in his discretion, deem necessary in order to accomplish the provisions of this act;

~~(3) (2) To pass upon the sufficiency of and approve the surety on the bonds of all officers and employees of the state, where approval is not otherwise prescribed by any specific statute; and~~

~~(4) (3) To arrange for the writing of corporate surety bonds for all the officers and employees of the state who are required by statute to furnish bonds; whether such bonds are required to be given by a specific statute or by the Director of Insurance, and to order the payment of the premiums therefor out of state funds.~~

(4) To arrange for the writing of the blanket corporate surety bond required by this section; and

(5) To order the payment of corporate surety bond premiums out of state funds. The premium for the blanket corporate surety bond shall be paid out of state funds from an appropriation to each agency in accordance with a formula prepared by the Department of Insurance based upon the number of individuals and type of risks to be bonded by the agency. Included in the premiums paid by each agency for any type of corporate surety bond shall be an amount not to exceed two and one half per cent of such premium for payment to the Department of Insurance for administrative costs.

All state employees not specifically required to give bond by section 11-119 shall be bonded under a blanket corporate surety bond for faithful performance and honesty in an amount not to exceed one million dollars.

The director may separately bond any officer, employee, or group thereof under a separate corporate surety bond for performance and honesty pursuant to the standards set forth in subdivision (1) of this section if the corporate surety will not bond or excludes from coverage any officer, employee, or group thereof under the blanket bond required by this section, or if the director finds that the reasonable availability or cost of the blanket bond required under this section is adversely affected by any of the following factors: The loss experience, types of risks to be bonded, relationship of bond premium to risks involved, past and projected trends for bond premiums, or any other factors.

Surety bonds of public power district directors, as required by section 70-617, collection agencies, as required by section 81-8,169 and detective agencies, as required by section 71-3207 shall be approved by the Secretary of State. The Attorney General shall approve all bond forms distributed by the Secretary of State.

Sec. 9. That section 48-158, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

48-158. Each of the judges of the Nebraska Workmen's Compensation Court, and the clerk thereof, shall, before entering upon or discharging any of the duties of his or their office, ~~give bond, with security to be approved by the Governor, not less in any case than five thousand dollars, conditioned for the faithful performance of his duties, which bond shall be filed in the office of the Secretary of State, be bonded under the blanket surety bond required by section 11-201~~ and such judges and clerk shall, before entering upon the duties of his or their office, take and subscribe the statutory oath of office.

Sec. 10. That section 48-609, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

48-609. Subject to other provisions of sections 48-601 to 48-669, the Commissioner of Labor is authorized to appoint, fix the compensation of, and prescribe the duties and powers of such officers, accountants, attorneys, experts, and other persons as may be necessary in the performance of his duties under said sections. The commissioner may delegate to any such person such power and authority as he deems reasonable and proper for the effective administration of said sections, ~~and may in his discretion, bond and pay the premium thereon from the unemployment compensation administration fund for any person handling money or signing warrants under said sections.~~ Employees handling money or signing warrants under such sections shall be bonded under the blanket surety bond required by section 11-201. The commissioner may pay the share of the premium for such bond from the unemployment compensation administration fund. The commissioner shall classify positions under said sections and shall establish salary schedules and minimum personnel standards for the positions so classified. He shall provide for the holding of examinations to determine the qualifications of applicants for the positions so classified, and, except for temporary appointments of not to exceed six months in duration, such personnel shall be appointed on the basis of efficiency and fitness as determined in such examinations. No person who is an officer or committee member of any political party organization or who holds or is a candidate for any public office shall be appointed or employed under said sections. The commissioner shall establish and enforce fair and reasonable regulations for appointments, promotions and

demotions based upon ratings of efficiency and fitness and for terminations for cause.

The commissioner may provide for a contributory retirement system for the employees of the division, or let a contract for such purpose with an insurance company licensed in Nebraska, and pay the employer's share of such system or contract from the Employment Security Administration Fund as long as this fund is wholly financed from Title III of the Federal Social Security Act or from other federal sources. The employee's contribution to any such plan shall be deducted from his salary.

Sec. 11. That section 48-618, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

48-618. The Commissioner of Labor shall designate a treasurer and custodian of the fund, who shall be selected in accordance with section 48-609, and who shall administer such fund in accordance with the directions of the commissioner and shall issue his warrants upon it in accordance with such regulations as the commissioner shall prescribe. He shall maintain within the fund three separate accounts: (1) A clearing account, (2) an Unemployment Trust Fund account, and (3) a benefit account. All money payable to the fund, upon receipt thereof by the commissioner, shall be forwarded to the treasurer who shall immediately deposit the same in the clearing account. Transfers of interest on delinquent contributions pursuant to subsection (b) of section 48-621 and refunds payable pursuant to section 48-660, may be paid from the clearing account upon warrants issued by the treasurer of the Unemployment Compensation Fund under the direction of the commissioner. After clearance thereof, all other money in the clearing account shall be immediately deposited with the Secretary of the Treasury of the United States of America to the credit of the account of this state in the Unemployment Trust Fund, established and maintained pursuant to section 904 of the Social Security Act, any provisions of law in this state relating to the deposit, administration, release, or disbursement of money in the possession or custody of this state to the contrary notwithstanding. The benefit account shall consist of all money requisitioned from this state's account in the Unemployment Trust Fund. Except as herein otherwise provided, money in the clearing and benefit accounts may be deposited by the treasurer under the direction of the commissioner, in any bank or public depository in which general funds of the state may be deposited, but no public deposit insurance charge or premium shall be paid

out of the fund. The treasurer shall be bonded under the blanket surety bond required by section 11-201. ~~execute a bond, conditioned upon the faithful performance of his duties with respect to the fund, in the amount of fifty thousand dollars.~~

Sec. 12. That section 48-701, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

48-701. The Commissioner of Labor shall, on or before the first day of July, 1943, and every two years thereafter, appoint a state boiler inspector, subject to the approval of the Governor, who shall work under the direct supervision of the commissioner and devote his full time to the duties of his office. Before entering upon the duties of his office, the state boiler inspector shall be bonded under the blanket surety bond required by section 11-201. ~~give a bond, in the sum of twenty-five hundred dollars, for the faithful performance of his duties, to be approved by and deposited in the office of the Secretary of State.~~ The Commissioner of Labor may, subject to the approval of the Governor, appoint deputy inspectors, possessing the same qualifications as the state boiler inspector, whenever the same may be necessary to carry out the provisions of sections 48-701 to 48-718. Such deputy inspectors shall be subject to and governed by the same rules and regulations applicable to and governing the acts and conduct of the state boiler inspector. The person so appointed shall be a practical boilermaker, be qualified by not less than ten years' experience in the construction, installation, repair and inspection of boilers, steam generators and superheaters, have a knowledge of their operation and use for the generating of steam for power, heating or other purposes and shall neither directly nor indirectly be interested in the manufacture, ownership or agency of the same.

Sec. 13. That section 48-804.03, Revised Statutes Supplement, 1976, be amended to read as follows:

48-804.03. The clerk of the Court of Industrial Relations shall be bonded under the blanket surety bond required by section 11-201 ~~7~~ before entering upon or discharging any of the duties of his office, ~~7-give bond with security to be approved by the Governor in an amount not less than five thousand dollars conditioned for the faithful performance of his duties, which bond shall be filed in the office of the Secretary of State.~~ Such clerk shall, before entering upon the duties of his office, take and subscribe the statutory oath of office.

Sec. 14. That section 53-109, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

53-109. Each commissioner, and each person appointed by the commission, shall take and subscribe an oath that he will support and enforce the provisions of this act, such oath to be in the form prescribed by the Governor. Before entering upon the duties of his office, each commissioner shall be bonded under the blanket surety bond required by section 11-201. ~~give a bond with a corporate surety or with such surety as public employees may be required to give by law; such surety to be approved by the Governor, in the sum of twenty-five thousand dollars, for the faithful performance of the duties of his office, in such form as shall be prescribed by the Governor.~~ Employees of the commission who are accountable for public funds shall be bonded under the blanket surety bond required by section 11-201 ~~give such bond to secure the safety of the same, as shall be required by the commission.~~ The premium on all bonds provided for in this section shall be paid by the State of Nebraska out of the state General Fund. Before entering upon the duties of his office the secretary in ~~like manner~~ shall be bonded under the blanket surety bond required by section 11-201. ~~give bond in the sum of ten thousand dollars conditioned the same as that required of each commissioner.~~

Sec. 15. That section 55-123, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

55-123. The Adjutant General shall be the disbursing officer, unless otherwise ordered by the Governor, for the allotment to be made by the Secretary of the Army and the Secretary of the Air Force under the provisions of the laws of the United States. He shall give such bonds to the United States ~~and the State of Nebraska~~ as may be required by the Secretary of the Army and Secretary of the Air Force, ~~and the Governor of Nebraska,~~ respectively, for the faithful accounting and safekeeping and payment of public money coming into his hands or entrusted to him for disbursement. To satisfy state bonding requirements, he shall be bonded under the blanket surety bond required by section 11-201.

Sec. 16. That section 55-126, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

55-126. The deputy adjutant general shall aid the Adjutant General by the performance of such duties as

may be assigned by him. In case of absence or inability of the Adjutant General, he shall perform all or such portion of the duties of the Adjutant General as the latter may expressly delegate to him. He shall be bonded under the blanket surety bond required by section 11-201. give a bond with sufficient sureties in a sum not to exceed five thousand dollars, conditioned for the faithful performance of his duties. He shall receive for his services the sum of four thousand eight hundred dollars per annum, payable monthly, and such additional sums, as available for assigned duties or services, from federal or other income sources of the department, not to exceed the annual pay and allowances of his grade.

Sec. 17. That section 55-127, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

55-127. The United States property and fiscal officer shall perform such duties as may be assigned to him by the Adjutant General. He shall make such reports and returns to the Department of the Army and the Air Force or the President of the United States as may be required by law or regulations. He shall give such bond to the United States ~~and the State of Nebraska~~ as may be required by the Secretary of the Army and Secretary of the Air Force, ~~and the Governor of Nebraska,~~ respectively, for the faithful accounting, safekeeping, and payment of public money coming into his hands or entrusted to him for disbursement. To satisfy state bonding requirements, he shall be bonded under the blanket surety bond required by section 11-201.

Sec. 18. That section 55-150, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

55-150. Commanders of organizations and units and all other officers who are responsible for public military property shall execute and deliver to the Adjutant General a bond, in such sum as the Governor may direct, not exceeding five thousand dollars, payable to the State of Nebraska, with sufficient sureties, to be approved by the Governor, conditioned for the proper care and use of said public property, and the return of same, in good order, ordinary wear and unavoidable loss and damage excepted; and in case of such loss or damage, the bond shall require the officer to immediately furnish the Adjutant General with properly attested affidavits, setting forth all the facts attending such loss or damage. Officers who are employees, as defined by section 81-1302, of the Military Department shall be bonded under the blanket surety bond required by section

11-201.

Sec. 19. That section 57-917, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

57-917. To enable the commission to carry out its duties and powers under the laws of this state with respect to conservation of oil and gas and to enforce sections 57-901 to 57-921 and the rules and regulations so prescribed, the commission shall employ one chief administrator who shall not be a member of the commission and who shall be known as the Director of the Nebraska Oil and Gas Conservation Commission, and as such he shall be charged with the duty of administering and enforcing the provisions of sections 57-901 to 57-921 and all rules, regulations and orders promulgated by the commission, subject to the direction of the commission. The director shall be a qualified petroleum engineer with not less than three years' actual field experience in the drilling and operation of oil and gas wells. Such director shall hold office at the pleasure of the commission and receive a salary to be fixed by the commission. The director, with the concurrence of the commission, shall have the authority, and it shall be his duty, to employ assistants and other employees necessary to carry out the provisions of sections 57-901 to 57-921. The director shall be ex officio secretary of the Nebraska Oil and Gas Conservation Commission and shall keep all minutes and records of the commission. The director shall, as secretary, be bonded under the blanket surety bond required by section 11-201. ~~give--bond--in such-sum-as-the--commission--may--direct--with--corporate surety-to-be-approved-by-the-commission, conditioned that he-will-well-and-truly-account-for-any-funds-coming--into his-hands-~~ The premium for the bond shall be paid by the State of Nebraska. The director and other employees of the commission performing duties authorized by sections 57-901 to 57-921 shall be paid their necessary traveling and living expenses when traveling on official business at such rates and within such limits as may be fixed by the commission, subject to existing laws.

Sec. 20. That section 60-432, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

60-432. The superintendent, also designated as colonel, shall, with the approval of the Governor, appoint such subordinate officers of the Nebraska State Patrol as lieutenant colonel, majors, captains, lieutenants, sergeants, corporals, patrolmen, and such other employees as may be necessary to carry out the

provisions of this act. The salaries of all such appointees shall be fixed by the superintendent, with the approval of the Governor. All such appointees shall be bonded under the blanket surety bond required by section 11-201. ~~give bond in the penal sum of two thousand dollars for the faithful performance of their duties; and bonds shall be approved and filed in the same manner as bonds of other state officers.~~ Premiums on all of such bonds shall be paid from the fund appropriated to the Nebraska State Patrol.

Sec. 21. That section 60-1303, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

60-1303. (1) The Governor shall designate either (a) the Nebraska State Patrol or (b) the employees of the Department of Roads as peace officers to operate the weighing stations.

(2) As used in sections 60-1301 to 60-1309, unless the context otherwise requires, the term officer or peace officer shall mean a peace officer referred to in subdivision (b) of subsection (1) of this section if the employees of the Department of Roads are designated as peace officers under the provisions of subsection (1) of this section.

(3) All of such peace officers, if so designated by the Governor under the provisions of subsection (1) of this section, shall be bonded under the blanket surety bond required by section 11-201. ~~give bond in the penal sum of two thousand dollars for the faithful performance of their duties. Such bonds shall be approved and filed in the same manner as for other state officers.~~ Premiums on ~~all such bonds~~ the bond shall be paid from the money appropriated for the construction, maintenance, and operation of the state weighing stations.

Sec. 22. That section 60-1502, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

60-1502. The Director of Motor Vehicles shall take the oath as provided by law and be bonded under the blanket surety bond required by section 11-201. ~~give a bond as provided by law.~~

Sec. 23. That section 68-703, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

68-703. The powers and duties of the Director of Public Welfare are as follows:

(1) To administer the Department of Public Welfare as provided by law;

(2) To determine the general principles and outline the operation of public assistance, child welfare, and related activities;

(3) To establish rules and regulations for efficiently administering the department and performing the duties assigned to it;

(4) To organize the department;

(5) To appoint and fix the salaries of all necessary staff for performance of the duties of the department and in compliance with the rules and regulations of the merit system;

(6) To consult and cooperate with the Department of Public Institutions and the Department of Correctional Services so as to coordinate in an effective manner the welfare activities of the department with those related activities affecting the welfare of persons in state institutions which are the responsibility of the Department of Public Institutions or the Department of Correctional Services;

(7) To consult and, under the general direction and guidance of the Adjutant General and the state Civil Defense Agency, to coordinate programs to meet disaster-related necessary expenses or serious needs of individuals or families adversely affected by a major disaster;

(8) To take the official oath; ~~and file a bond in such amount and surety as provided in section 44-449; to be approved by the Governor;~~

(9) To make an annual report to the Governor and prepare a biennial budget for the department, and make such other studies and reports as may be deemed necessary; and

(10) To provide such supervisory services as may be required to determine that county departments of public welfare are fulfilling their administrative duties in compliance with the statutes of Nebraska and state regulation.

The director shall be bonded under the blanket surety bond required by section 11-201.

Sec. 24. That section 71-1,132.11, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

71-1,132.11. The board is authorized to adopt and, from time to time, revise such rules and regulations consistent with the provisions of sections 71-1,132.04 to 71-1,132.09, 71-1,132.11 to 71-1,132.16, 71-1,132.18 to 71-1,132.37, and 71-1,132.41 as may be necessary to carry into effect the provisions thereof. All such rules and regulations shall be published and distributed. The board shall:

(1) Establish minimum standards to be met by educational programs conducted pursuant to sections 71-1,132.24 to 71-1,132.28;

(2) Develop standards in cooperation with schools of nursing to be used in the evaluation and approval of such schools;

(3) Review the standards at least every four years or more frequently as deemed necessary;

(4) Establish rules, regulations and procedures for approving and classifying schools of practical and professional nursing taking into consideration the administrative and organizational pattern of the school, the philosophy, the curriculum and program of studies, the number and selection of students, the student personnel services including housing, the guidance and health services, the number and preparation of faculty in relation to the curriculum and enrollments, the instructional materials and equipment, the instructional facilities including clinical resources and library facilities and materials, and the health and safety factors in residence halls, education buildings and clinical facilities;

(5) Provide surveys for each program at least every four years or more frequently as deemed necessary;

(6) Approve such programs as meet the requirements of the provisions of sections 71-1,132.04 to 71-1,132.09, 71-1,132.11 to 71-1,132.16, 71-1,132.18 to 71-1,132.37, and 71-1,132.41 and of the board;

(7) Evaluate and approve courses offered by cooperating agencies;

(8) Examine, license, and renew the license of duly qualified applicants;

(9) Conduct hearings upon charges of suspension or revocation of a license;

(10) Have power to issue subpoenas and compel the attendance of witnesses and administer oaths to persons giving testimony at hearings;

(11) Cause the prosecution of all persons violating the provisions of sections 71-1,132.04 to 71-1,132.09, 71-1,132.11 to 71-1,132.16, 71-1,132.18 to 71-1,132.37, and 71-1,132.41 and have power to incur the necessary expense therefor;

(12) Keep a record of all its proceedings and make an annual report to the Governor;

(13) Approve the clinical facilities used by each school;

(14) Develop rules, regulations, and mandatory educational review courses governing the return to practice of any nurse who has not engaged in the active practice of nursing on a regular and systematic basis for five years or longer;

(15) Develop rules and regulations in cooperation with the Board of Examiners in Medicine and Surgery governing the expanding role of the professional nurse, and implement such rules and regulations. Such rules and regulations shall provide for the kind of functions the nurse would be able to perform, under what circumstances such function would be performed, and the necessary educational and clinical preparation needed to do so; and

(16) Establish fees at a level sufficient to provide for all expenses and salaries of the board pursuant to section 71-1,132.49.

The board shall appoint an executive director who shall be a registered nurse currently licensed in this state and who has graduated with a masters degree in nursing or a related field of study. The executive director shall have a minimum of five years' experience within the last ten years in the areas of administration, teaching, or consultation in the field of nurse education. The salary of the director shall be fixed by the Board of Nursing and be competitive with salaries of nursing education positions which require similar education and experience. The director shall not be a member of the board. The director shall be bonded under

the blanket surety bond required by section 11-201.
~~furnish bond, in the penal sum of five thousand dollars,~~
~~running to the State of Nebraska, conditioned upon the~~
~~faithful performance of his duties.~~

Sec. 25. That section 71-222.01, Reissue Revised Statutes of Nebraska, 1943, as amended by section 18, Legislative Bill 722, Eighty-fifth Legislature, Second Session, 1978, be amended to read as follows:

71-222.01. The director, under the supervision of the Board of Barber Examiners, shall administer the provisions of sections 71-201 to 71-237, and shall serve at the pleasure of the board. His salary shall be fixed by the board. He shall devote full time to the duties of his office. No person shall be eligible to the office of director who has not been engaged in the active practice of barbering as a registered barber in the state for at least five years immediately preceding his appointment. No member of the Board of Barber Examiners shall be eligible to the office of director during his term. The director shall be bonded under the blanket surety bond required by section 11-201. ~~execute and file with the Board of Barber Examiners a surety bond, running to the state in the penal sum of ten thousand dollars, with corporate surety authorized to transact business in this state and conditioned for the faithful performance of his duties and that he will account for and pay over, pursuant to law, all state money received by him in the performance of his official duties.~~ The premium on such bond shall be paid as an expense of the board.

Sec. 26. That section 71-2611, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

71-2611. The Director of Health shall be bonded under the blanket surety bond required by section 11-201. ~~execute and file with the Secretary of State a bond to the State of Nebraska in the sum of ten thousand dollars, conditioned on the faithful performance of his duties, and that he will account for and pay over, pursuant to law, all state money received by him under law for the activities of the State Board of Health.~~ The premium on such bond shall be paid from the General Fund.

Sec. 27. That section 71-3808, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

71-3808. The secretary of the board shall receive and account for all money derived under sections 71-3801 to 71-3831. He shall pay the money monthly to

the State Treasurer who shall keep it in a separate fund to be known as the Psychologists Licensing Fund, which is hereby created. All money received in such fund shall be used for the administration of sections 71-3801 to 71-3831. Money may be paid out of this fund upon proper voucher approved by the chairman of the board and attested by the secretary of the board. The secretary of the board shall be bonded under the blanket surety bond required by section 11-201. ~~give a surety bond for the faithful performance of his duties to the state in the sum of three thousand dollars.~~ The premium for this bond shall be paid out of the Psychologists Licensing Fund. The board may make expenditures from this fund for any purpose that is reasonably necessary to carry out the provisions of sections 71-3801 to 71-3831; provided, that all reimbursement for expenses shall be paid only from the Psychologists Licensing Fund. No money shall be paid from the General Fund for the administration of sections 71-3801 to 71-3831 and any expenses or liabilities incurred by the board shall not constitute a charge on any state funds other than the Psychologists Licensing Fund. Any money in the Psychologists Licensing Fund available for investment shall be invested by the state investment officer pursuant to the provisions of sections 72-1237 to 72-1259.

Sec. 28. That section 72-1241, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

72-1241. The state investment officer shall devote his entire time and attention to the duties of his office. He shall not engage in any other occupation or profession or hold any other public office, appointive or elective. If for any reason the state investment officer is unable to perform the duties of his office, or the office is vacant due to death, resignation or otherwise, the council shall designate an acting state investment officer to serve until the state investment officer is able to act or the vacancy is filled. With the approval of the council, the state investment officer may designate a deputy to perform such acts and duties as the state investment officer shall authorize, subject to the same restrictions as apply to the state investment officer. The deputy shall be bonded under the blanket surety bond required by section 11-201. ~~furnish bond in the face amount and conditioned as the bond of the state investment officer.~~ The state investment officer shall be responsible for all official acts of his deputy.

Sec. 29. That section 80-401.02, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

80-401.02. There is hereby created a department of government to be known as the Department of Veterans' Affairs. The chief administrative officer of the department shall be the director to be known as the Director of Veterans' Affairs. He shall be appointed by the Governor, subject to confirmation by the Legislature. No person shall be eligible to receive appointment as director unless he has the following qualifications: (1) Resident of the State of Nebraska for at least five years immediately prior to his appointment; (2) citizen of the United States; and (3) served in the armed forces of the United States during the dates set forth in section 80-401.01, and honorably discharged from such service. The director shall serve until a new director to succeed him is appointed and has qualified. If a vacancy occurs in the office of director when the Legislature is not in session, the Governor shall make a temporary appointment until the next meeting of the Legislature, when he shall present to the Legislature his recommendation for the office. The director shall receive an annual salary to be fixed by the Governor, payable in equal monthly installments. He shall be entitled to the necessary and actual expenses involved in the performance of his official duties. He shall be bonded under the blanket surety bond required by section 11-201. ~~give bond to the State of Nebraska in the penal sum of fifty thousand dollars, with corporate surety to be approved by the Governor, conditioned for the faithful discharge of the duties of his office.~~ The director shall appoint state service officers and assistants, whose appointments shall be approved by the Veterans' Advisory Commission.

Sec. 30. That section 81-111, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

81-111. Each head of a department shall be bonded under the blanket surety bond required by section 11-201, before entering upon the discharge of the duties of his office, execute bond to the State of Nebraska as provided in section 11-149, with corporate surety to be approved by the Governor, conditioned for the faithful performance of his duties, which bond shall be filed in the office of the Secretary of State.

Sec. 31. That section 81-151, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

81-151. Before entering upon the discharge of his duties, the Purchasing Agent shall be bonded under the blanket surety bond as required by section 11-201. ~~give good and sufficient bond in the sum of ten thousand~~

dollars, with corporate surety authorized to transact business in this state and conditioned for the faithful performance of his duties and his compliance with all of the provisions of sections 81-145 to 81-163. Such bond shall be approved by the Governor. Neither expiration of term of office nor removal therefrom shall operate as a discharge of the bond, but it shall remain in full force and effect as provided by law. The premium on the bond shall be paid by the state.

Sec. 32. That section 81-811, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

81-811. Each member of the Game and Parks Commission, all conservation officers, managers and custodians of parks, hatcheries, and game farms, and all other agents, and all employees thereof, shall be bonded under the blanket surety bond required by section 11-201. give bond to the State of Nebraska for the faithful performance of his duties, and for an accounting and return to the state of all money and property of the state coming into his hands or custody, and all conservation officers shall give bond for payment of all damages suffered by any person on account of his oppression in office. The bonds of the commissioners shall be for not less than ten thousand dollars each, and the premiums thereof shall be paid by the commission; those of all conservation officers, except the chief conservation officer, and deputy conservation officers shall be for not less than two thousand dollars each. All managers or custodians of parks, hatcheries, game farms, and other employees of the commission, likewise shall give bond in an amount to be fixed by the commission but not less than five thousand dollars, conditioned upon the faithful discharge of their duties and for the care of and return to the state of all property belonging to it and coming into the hands or custody of said agents. Premiums on all bonds for all employees receiving less than one thousand dollars per year shall be paid by the commission. All bonds shall be approved by and filed with the Secretary of State.

Sec. 33. That section 81-8,128, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

81-8,128. There is hereby established the position of State Athletic Commissioner. The State Athletic Commissioner shall be appointed by the Governor and shall hold office for a term of two years commencing the first Thursday after the first Tuesday of January in each odd-numbered year. He shall receive such salary as

the Governor may elect but not to exceed four thousand five hundred dollars annually, and shall be bonded under the blanket surety bond required by section 11-201. ~~furnish bond in the penal sum of five thousand dollars, conditioned and filed as other bonds.~~ He shall have authority to employ assistants and fix their compensation. He shall be eligible to succeed himself in office.

Sec. 34. That section 81-1108.14, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

81-1108.14. The administrator shall, before entering upon the discharge of the duties of his office, be bonded under the blanket surety bond required by section 11-201. ~~execute bond to the State of Nebraska as provided in section 11-149 with corporate surety to be approved by the Governor, in the sum of fifty thousand dollars, and conditioned for the faithful performance of his duties, which bond shall be filed in the office of the Secretary of State.~~ The premium on the bond shall be paid by the state.

Sec. 35. That section 83-101.02, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

83-101.02. The Director of Public Institutions shall be appointed by the Governor, subject to confirmation by a majority vote of the members elected to the Legislature. Such appointment shall be made on the basis of recognized and demonstrated interest in and knowledge of the problems of public institutions. Racial, religious, or political affiliations shall not be considered in such director's selection. The director shall be bonded under the blanket surety bond required by section 11-201. ~~give bond as provided in section 11-149.~~

Sec. 36. That section 83-128, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

83-128. ~~An official bond, in a sum to be fixed by the Department of Public Institutions, shall be required from each official and employee who is given the custody of funds or property belonging to the State of Nebraska. The bond, when approved, shall be filed in the office of the department.~~ Each official and employee who is given the custody of funds or property of the state shall be bonded under the blanket surety bond required by section 11-201.

Sec. 37. That section 84-106, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

84-106. The Governor is authorized to call to his assistance and appoint any number of persons necessary to assist the superintendent of law enforcement and public safety to enforce the provisions of the criminal laws. The superintendent and his assistants, who shall be designated and named deputy state sheriffs, shall qualify by each taking and filing oath in writing. Such individuals shall be bonded under the blanket surety bond required by section 11-201, and by each executing in favor of the State of Nebraska a bond in the sum of two thousand dollars, which bond shall be approved by the Governor; Provided, the The premiums on the bonds of such deputy state sheriffs may be paid for out of appropriations made available to the state offices, departments, commissions or other agencies to which such deputy state sheriffs are assigned. The superintendent and his assistants shall have the same powers in each of the several counties of the state as the sheriffs have in their respective counties, insofar as the enforcement of the criminal laws is concerned. An action against the superintendent or any of his assistants for an act done by them or either of them in virtue of, or under color of their offices respectively, or for any neglect of their official duties, shall be brought either in Lancaster County, Nebraska, or in the county where the cause of action or some part thereof arose.

Sec. 38. That section 84-206, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

84-206. The Attorney General shall appoint a deputy attorney general, who shall be bonded under the blanket surety bond required by section 11-201, give bond to the State of Nebraska in the sum of five thousand dollars with good and sufficient sureties to be approved by the Governor; The bond, together with a A copy of the appointment, shall be deposited in the office of the Secretary of State. The deputy may do and perform, in the absence of the Attorney General, all the acts and duties that may be authorized and required to be performed by the Attorney General. The Attorney General shall be responsible for all acts of said deputy. The deputy shall receive a salary of such amount as shall be fixed by the Attorney General, to be paid on a monthly basis by warrant of the Director of Administrative Services on the State Treasurer; Provided, that the salary of the deputy attorney general and each full-time assistant attorney general shall be not less than twenty

thousand dollars.

Sec. 39. That section 84-801, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

84-801. The Auditor of Public Accounts, State Treasurer, and State Librarian respectively, and each county register of deeds, treasurer, sheriff, clerk and surveyor, may appoint a deputy, for whose acts he shall be responsible, ~~and from whom he shall require a bond,~~ which appointment shall be in writing and shall be revocable by writing under the principal's hand. The deputy for each of the state offices shall be bonded under the blanket surety bond required by section 11-201. A bond may be required from each of the deputies for each of the county offices. Both the appointment and revocation shall be filed and kept in the office of the county clerk in case of deputies for county officers, but in case of state officers they shall be filed and kept by the principals.

Sec. 40. That original sections 2-1201, 2-1505, 3-103, 8-104, 8-105, 11-119, 11-121, 11-201, 48-158, 48-609, 48-618, 48-701, 53-109, 55-123, 55-126, 55-127, 55-150, 57-917, 60-432, 60-1303, 60-1502, 68-703, 71-1, 132.11, 71-2611, 71-3808, 72-1241, 80-401.02, 81-111, 81-151, 81-811, 81-8, 128, 81-1108.14, 83-101.02, 83-128, 84-106, 84-206, and 84-801, Reissue Revised Statutes of Nebraska, 1943, section 48-804.03, Revised Statutes Supplement, 1976, and section 71-222.01, Reissue Revised Statutes of Nebraska, 1943, as amended by section 18, Legislative Bill 722, Eighty-fifth Legislature, Second Session, 1978, and also section 11-120, Reissue Revised Statutes of Nebraska, 1943, are repealed.