

LEGISLATIVE BILL 204

Approved by the Governor May 18, 1981

Introduced by Wagner, 41

AN ACT relating to mileage and expenses; to amend sections 1-110, 2-953, 2-954, 2-1582, 2-1803, 2-2306, 2-2404, 2-3218, 3-104, 3-502, 3-611, 3-705, 14-1706, 14-1803, 19-706, 21-17,133, 21-2307, 23-343.26, 23-343.87, 23-1210, 23-1614, 23-1724, 23-2505, 23-2603, 24-326, 24-342.02, 24-513, 24-718, 24-731, 25-1227, 29-752, 29-1903, 29-1907, 29-1908, 29-2259, 29-2539, 29-3204, 31-219, 32-403, 32-549, 33-108, 33-116, 33-133, 33-135.01, 33-138, 33-139, 35-506, 37-603, 39-869, 39-1106, 39-1643, 39-2106, 39-2202, 39-2304, 43-601, 43-631, 44-111, 44-127.08, 44-388, 44-2405, 44-2706, 44-2849, 44-3005, 46-538, 46-634.01, 46-901, 48-155.01, 48-610, 48-1116, 49-230, 49-233, 49-905, 49-14,120, 50-408, 50-415, 51-313, 51-314, 51-402, 53-113, 54-1169, 54-1914, 55-428, 55-442, 60-406.06, 60-1414, 66-470, 68-702.01, 68-1105, 70-719, 71-122.01, 71-124, 71-1,132.12, 71-1,156, 71-230, 71-317, 71-331, 71-1401, 71-1524, 71-1565, 71-2005, 71-2605, 71-2703, 71-2908, 71-3506, 71-3706, 71-3809, 71-4611, 71-4715, 71-4902, 71-5005, 71-5005, 71-5008, 71-5118, 72-201, 72-720, 72-1121, 72-1239, 76-303, 76-513, 77-417, 77-1720, 77-2024, 79-327, 79-426.03, 79-426.05, 79-1281.01, 79-1421, 79-2102, 79-2113, 80-101, 80-401.08, 81-509, 81-539, 81-807, 81-814, 81-829.53, 81-829.54, 81-842, 81-885.27, 81-8,110.11, 81-8,116, 81-8,163, 81-8,189, 81-8,191, 81-8,220, 81-8,267, 81-8,272, 81-1108.32, 81-1120.18, 81-1218, 81-1409, 81-1421, 81-1507, 82-310, 83-101.06, 83-195, 83-1,128, 83-1,141, 83-211.02, 83-1071, 84-213, 84-1501, 85-104, 85-1,103, 85-906, and 86-709, Reissue Revised Statutes of Nebraska, 1943, and sections 2-1201, 2-1505, 2-3619, 23-114.01, 23-343.02, 23-1112, 23-1112.01, 23-1820, 33-117, 43-607, 43-657, 46-154, 48-159, 48-804.02, 48-806, 54-137, 54-149, 57-904, 68-1305, 70-1003, 71-122, 71-222, 71-1631, 71-2045.06, 71-4723, 71-5026, 71-5606, 71-5845, 71-5864, 72-224.03, 76-1609, 77-3,106, 79-490, 79-1034, 79-1281, 79-2203, 80-305, 80-401.02, 81-175, 81-502.02, 81-804, 81-822, 81-8,285, 81-1241, 81-1503, 81-1504,

81-1603, 81-1805, 83-337, 83-424, 83-945, 84-134, 84-306.03, 84-306.06, 84-306.08, 84-306.09, and 85-1011, Revised Statutes Supplement, 1980; to harmonize provisions; to increase certain rates; to provide intent for adjustments to certain rates; to provide severability; and to repeal the original sections.

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

Section 1. That section 1-110, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

1-110. Each member of the board, other than the Auditor of Public Accounts, shall be paid fifty dollars for each day or portion thereof spent in the discharge of his or her official duties and shall be reimbursed for his or her actual and necessary expenses incurred in the discharge of his or her official duties as provided in sections 84-306.01 to 84-306.05 for state employees. The Auditor of Public Accounts, for the discharge of his or her official duties as a member of and as secretary of the board, shall be reimbursed for his or her actual and necessary expenses incurred in the discharge of his or her official duties as provided in sections 84-306.01 to 84-306.05 for state employees. Such compensation and expenses shall be paid from the Public Accountants Fund.

Sec. 2. That section 2-953, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

2-953. As used in sections 2-952 to 2-965, unless the context otherwise requires:

(1) Person shall mean any individual, partnership, firm, corporation, company, society, association, the state or any department, agency, or subdivision thereof, or any other entity;

(2) Control, controlled, or controlling, shall include being in charge of or being in possession, whether as owner, lessee, renter, tenant, under statutory authority, or otherwise;

(3) Noxious weeds shall mean and include any weed designated and listed in regulations promulgated by the Director of Agriculture as noxious;

(4) Control authority shall mean the county weed district board, which shall represent all rural area and cities, villages, and townships within the county

boundaries. The county board of commissioners or supervisors may, following an election in which a majority of the votes cast are in favor of such action, function as and exercise the authority and carry out the duties of the county weed district board. To initiate such an election, the county board of commissioners or supervisors may, by resolution, require the county clerk of such county to have placed upon the ballot at the election next following such resolution, the question, Shall the weed control authority board be dissolved and its duties and authority be exercised by the county board?

Yes No

If a majority of the votes cast on this question are opposed to dissolution of the weed control authority board, the county shall remain subject to the direction and authority of the elected weed control authority board. If a majority of the votes cast on this question are in favor of the dissolution of the weed control authority board, the county board shall function as and exercise the authority and carry out the duties of the county weed district board. If, at any time following the dissolution of the county weed control authority board, county residents, representing at least ten per cent of the votes cast in the preceding general election in such county, submit a petition to the county clerk for reestablishment of the county weed control authority board as an independent elected body, the clerk shall place the following question on the next general election ballot: Shall the weed control authority board be reestablished and elected independent of other county officials?

Yes No

If a majority of the ballots favor reestablishment of the independent board, the county board shall appoint an initial weed control authority board and thereafter the weed control authority board members shall be elected in conformity with this section.

When the county board of commissioners or supervisors does not function as the weed district board, such board shall be composed of five members, three of whom shall be from rural areas and two of whom shall be from cities, villages, or townships. The county board shall appoint members of the authority to fill any vacancy occurring on the board. The two members from cities, villages, or townships shall thereafter be elected at the general election in 1966 and each four years thereafter, and the three members from rural areas shall be elected at the general election in 1968 and each four years thereafter. Persons seeking election to the

authority shall be nominated and elected regardless of political affiliation. They shall file in the same manner as is provided by law for county superintendents and shall not be required to pay a filing fee. The members of the board shall be paid a per diem of not less than twelve dollars for each day actually and necessarily engaged in the performance of their official duties as members of such board and shall be allowed mileage reimbursement on the same basis as ~~county officers and employees~~ as provided in section ~~23-1112-04~~ 23-1112 for county officers and employees. In addition to the five-member board, the ~~chairman~~ chairperson of the county board of supervisors or commissioners may appoint one member of the county board to serve as ex officio member of the weed control authority board to provide coordination between such boards; Provided, that the county board member or commissioner so appointed shall not be entitled to expense reimbursement allowed weed district board members. The ex officio member shall possess the same authority as other members, including the right to vote;

(5) Applicable fund shall mean the fund current at the time the work is performed or the money is received; and

(6) Director shall mean the Director of Agriculture, or his or her designated representative.

Sec. 3. That section 2-954, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

2-954. (1) (a) The duty of enforcing sections 2-952 to 2-965 and carrying out its provisions is vested in the director and the authorities designated in sections 2-952 to 2-965 acting under the supervision and direction of the director. The director shall determine what weeds are noxious for the purposes of sections 2-952 to 2-965, and shall compile and keep current a list of such noxious weeds, which list shall be published and incorporated in the rules and regulations of the director. The director shall, from time to time, adopt and publish methods as official for control of noxious weeds and make and publish such rules and regulations as in his or her judgment are necessary to carry out the provisions of sections 2-952 to 2-965. Whenever special weed control problems exist in a county involving weeds not covered in the noxious weed list, the weed control authority may petition the director to bring such weeds under the county control program. The petition shall contain the approval of the county board of supervisors or commissioners. Prior to petitioning the director, the

control authority, in cooperation with the county board of commissioners or supervisors, shall hold a public hearing and take testimony upon the petition. Such hearing and the notice thereof shall be in the manner prescribed by Chapter 84, article 9. A copy of the transcript of the public hearing shall accompany the petition filed with the director. The director may approve or disapprove the request and if approval is granted, the weed control authority may proceed under the forced control provisions of sections 2-953 to 2-955 and 2-958.

(b) The director shall investigate the subject of noxious weeds; require information and reports from any control authority as to the presence of noxious weeds and other information relative to noxious weeds and the control thereof in localities where such control authority has jurisdiction; cooperate with control authorities in carrying out other acts administered by him or her; cooperate with agencies of federal and state governments and persons, in carrying out his or her duties under sections 2-952 to 2-965, and, with the consent of the Governor, in the conduct of investigations outside this state in the interest of the protection of the agricultural industry of this state from noxious weeds not generally distributed therein; with the consent of the federal agency involved, control noxious weeds on federal lands within this state, with or without reimbursement, when deemed by him or her to be necessary to an effective weed control program; advise and confer as to the extent of noxious weed infestations and the methods determined best suited to the control thereof; call and attend meetings and conferences dealing with the subject of noxious weeds; disseminate information and conduct educational campaigns with respect to control of noxious weeds; procure materials and equipment and employ personnel necessary to carry out his or her duties and responsibilities; and perform such other acts as may be necessary or appropriate to the administration of sections 2-952 to 2-965.

(c) When it is determined by the director that a control authority has failed to carry out any of its duties and responsibilities as a control authority, the director shall perform such duties and responsibilities in the same manner and under the same conditions except that any money collected as provided in subsections (2) and (3) of section 2-955 and the control authority's share of costs under subsection (4) of section 2-955 shall be for deposit to the applicable fund of the director.

(d) When determined by the director that a control authority has failed to control noxious weeds on land owned or controlled by it or to comply with the provisions of section 2-956 as to any article owned or controlled by it, the director shall have proper control measures taken and may hold or prevent the movement of any such article, and the cost of such control work shall be a charge against the owner of the land upon which the cost for control was incurred and may be recovered by suit instituted for that purpose in the name of the director by the Attorney General. The administrative costs incurred by the director in the administration of a control program upon the default of the weed control authority of a county may be recovered from the county. All funds thus collected shall be deposited to the applicable fund of the director.

(2) (a) Each control authority shall carry out the duties and responsibilities vested in it under sections 2-952 to 2-965 with respect to land under its jurisdiction, in accordance with rules and regulations prescribed by the director. Such duties shall include the establishment, under the general direction of the county control authority, of a coordinated program for control of noxious weeds within such county.

(b) A control authority may cooperate with any person in carrying out its duties and responsibilities under sections 2-952 to 2-965, and may cooperate with the director in carrying out other acts administered by him or her.

(3) (a) Each county board of supervisors or commissioners shall, within thirty days following August 24, 1975, and continually thereafter, employ one or more weed control superintendents. Such superintendents shall, as a condition precedent to employment and at least annually thereafter, be certified in writing by the director to be qualified to detect and treat noxious weeds. Each superintendent shall be bonded for such sum as the county board shall prescribe. The same person may be a weed control superintendent for more than one county. Such employment may be for such tenure, and at such rates of compensation and reimbursement for travel expenses, as the county board may prescribe. Such superintendent shall be reimbursed for mileage at a rate equal to or greater than the rate provided in section 23-1112 for county officers and employees.

(b) Under the direction of the employing control authority, it shall be the duty of every weed control superintendent to examine all land under the jurisdiction of the control authority for the purpose of determining

whether the provisions of sections 2-952 to 2-965 and the regulations of the director have been complied with. He or she shall compile such data on infested areas and areas controlled and such other reports as the director or control authority may require; consult and advise upon matters pertaining to the best and most practical methods of noxious weed control, and render assistance and direction for the most effective control; investigate or aid in the investigation and prosecution of any violation of sections 2-952 to 2-965; and perform such other duties as required by the control authority in the performance of its duties. Weed control superintendents shall cooperate and assist one another to the extent practicable. County weed control superintendents shall supervise the carrying out of the coordinated control program within the county.

(c) In cases involving counties in which municipalities have ordinances for weed control, the weed control authority may enter into agreements with municipal authorities for the enforcement of local weed ordinances and may follow collection procedures as may be established by such ordinance or ordinances. All money received shall be deposited in the weed control authority fund.

Sec. 4. That section 2-1201, Revised Statutes Supplement, 1980, 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 as provided in sections 84-306.01 to 84-306.05 for state employees. The members of the commission shall be bonded under the blanket surety bond required by section 11-201.

Sec. 5. That section 2-1505, Revised Statutes Supplement, 1980, be amended to read as follows:

2-1505. The commission shall designate a chairperson, a vice-chairperson, 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 fifty dollars per day for each day in the performance of his or her duties on the commission, but no member shall receive more than two thousand dollars in any one year, and in addition shall be entitled to expenses, including traveling expenses, necessarily incurred in the discharge of his or her duties on the commission, as provided in sections 84-306.01 to 84-306.05 for state employees. The commission 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. 6. That section 2-1582, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

2-1582. The members of the board shall be paid a per diem of twenty dollars for each day actually and necessarily spent in the performance of their duties as members of such board and shall be reimbursed for their actual and necessary expenses. Reimbursement for expenses shall be on the same basis and subject to the same conditions as provided in sections 84-306.01 to 84-306.05 for full-time state employees. If any board member is otherwise employed by the State of Nebraska while serving on the board, such member shall not be entitled to receive the per diem payment, ~~but may be reimbursed for actual and necessary expenses.~~

Sec. 7. That section 2-1803, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

2-1803. With the exception of the ex officio member, the Governor shall appoint an advisory committee to be known as the Nebraska Potato Development Committee. The committee shall be composed of three shippers and four growers from the industry and the Vice Chancellor of the Institute of Agriculture and Natural Resources of the University of Nebraska, who shall be an ex officio member thereof. The Director of Agriculture shall be the chairman chairperson thereof. This committee shall adopt and provide rules and regulations for the conduct of the affairs of the Division of Potato Development and advise with the director relative to the appointment of the chief of the division and such deputies as may be appointed. The members of the Nebraska Potato Development Committee shall serve without pay but shall

receive actual expenses incurred while on official business as provided in sections 84-306.01 to 84-306.05 for state employees. Within thirty days after April 19, 1947, two shippers and two growers shall be appointed for a term of one year, and one shipper and two growers appointed for a period of two years, and as the terms of office of such appointees shall expire, their successors shall be appointed by the Governor for a period of two years and until their successors are appointed and qualified.

Sec. 8. That section 2-2306, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

2-2306. Members of the committee shall receive no salary, but shall be paid a per diem of ten dollars for each day they are actually and necessarily engaged in the transaction of business together with their actual expenses incurred while on official business as provided in sections 84-306.01 to 84-306.05 for state employees.

Sec. 9. That section 2-2404, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

2-2404. There is hereby established a Weather Modification Commission, composed of the Director of Agriculture, the vice chancellor of the Institute of Agriculture and Natural Resources of the University of Nebraska or his or her representative, the chairman chairperson of the physics department of the University of Nebraska, and four additional members, interested in weather modification, who shall be appointed annually by the Governor for a one-year term commencing January 1. The members of the commission shall serve without salary, but shall be reimbursed for their actual and necessary expenses while in the performance of their duties as provided in sections 84-306.01 to 84-306.05 for state employees.

Sec. 10. That section 2-3218, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

2-3218. Before the first Thursday after the first Tuesday in January, 1975, members of the board of directors shall receive no salaries, but shall be compensated for their actual and necessary expenses incurred in connection with their duties as provided in sections 84-306.01 to 84-306.05 for state employees. After the first Thursday after the first Tuesday in January, 1975, each board is hereby given the power and

authority to provide a per diem payment for directors of not to exceed fifteen dollars for each day that he such director attends meetings of the board or is engaged in matters concerning the district, but no director shall receive more than six hundred dollars in any one year; Provided, that such per diem payments shall be in addition to and separate from compensation for expenses.

Sec. 11. That section 2-3619, Revised Statutes Supplement, 1980, be amended to read as follows:

2-3619. The voting members of the board, while engaged in the performance of their official duties, shall receive compensation at the rate of twenty-five dollars per day while so serving, including travel time. In addition, members of the board shall receive reimbursement for actual and necessary expenses on the same basis and subject to the same conditions as full-time provided in sections 84-306.01 to 84-306.05 for state employees.

Sec. 12. That section 3-104, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

3-104. There is hereby created the Nebraska Aeronautics Commission which shall consist of five members, who shall be appointed by the Governor. The terms of office of the members of the commission initially appointed shall expire on March 1 of the years 1946, 1947, 1948, 1949, and 1950, as designated by the Governor in making the respective appointments. As the terms of members expire, the Governor shall, on or before March 1 of each year, appoint a member of the commission for a term of five years to succeed the member whose term expires. Each member shall serve until the appointment and qualification of his or her successor. In case of a vacancy occurring prior to the expiration of the term of a member, the appointment shall be made only for the remainder of the term. All members of the commission shall be citizens and bona fide residents of the state and, in making such an appointment, the Governor shall take into consideration the interest or training of the appointee in some one or all branches of aviation. The commission shall, in December of each year, select a chairman chairperson for the ensuing year. The Director of Aeronautics shall serve as secretary as set forth in section 3-127. Three members shall constitute a quorum and no action shall be taken by less than a majority of the commission. The commission shall meet upon the written call of the chairman chairperson, the director, or any two members of the commission. Regular meetings shall be held at the office of the department but,

whenever the convenience of the public or of the parties may be promoted or delay or expense may be prevented, it may hold meetings or proceedings at any other place designated by it. All meetings of the commission shall be open to the public. No member shall receive any salary for his or her service, but each shall be reimbursed for actual and necessary expenses incurred by him or her in the performance of his or her duties as provided in sections 84-306.01 to 84-306.05 for state employees. It shall be the duty of the commission to advise the Governor relative to the appointment of a director and it shall report to the Governor whenever it feels that the director is not properly fulfilling his or her duties. It shall further act in an advisory capacity to the director. The commission shall have, in addition, the following specific duties: (1) To allocate state funds and approve the use of federal funds to be spent for the construction or maintenance of airports; (2) to designate the locations and approve sites of airports; (3) to arrange and authorize the purchase of aircraft upon behalf of the state; (4) to select and approve pilots to be employed by the state, if any; and (5) to assist the director in formulating the regulations and policies to be carried out by the department under the terms of sections 3-101 to 3-154. The director may designate one or more members of the commission to represent the department in conferences with officials of the federal government, of other states, or of other agencies or municipalities of this state.

Sec. 13. That section 3-502, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

3-502. Any city is hereby authorized to create an airport authority to be managed and controlled by a board, which board, when and if appointed, shall have full and exclusive jurisdiction and control over all facilities owned or thereafter acquired by such city for the purpose of aviation operation, air navigation, and air safety operation; Provided, that this act shall not become operative as to any city unless the mayor and city council in their discretion shall activate the airport authority by the mayor appointing and the council approving the board members as hereinafter provided. Each such board shall be a body corporate and politic, constituting a public corporation and an agency of the city for which such board is established. Each board in cities of the primary, first, and second classes and in villages shall consist of five members to be selected as follows: (1) (a) The mayor, with the approval of the city council, shall appoint one member who shall serve until his or her successor, elected at the first general

city election following such appointment, shall qualify and take office, (b) the mayor, with the approval of the city council, shall appoint two members who shall serve until their successors, elected at the second general city election following such appointment, shall qualify and take office, and (c) the mayor, with the approval of the city council, shall appoint two members who shall serve until their successors, elected at the third general city election following such appointment, shall qualify and take office; and (2) upon the expiration of the terms of such appointed officers, members of the board shall be nominated and elected in the manner provided by law for the election of officers of the city concerned and shall take office at the same time as the officers of such city. Members of such board shall be residents of the city for which such authority is created, and, except for members initially appointed, shall serve for a term of six years. Any vacancy on such board, resulting other than from expiration of a term of office, shall be filled by temporary appointment by the mayor until a successor can be elected, at the next general city election, to serve the unexpired portion, if any, of the term. A member of such board may be removed from office for incompetence, neglect of duty, or malfeasance in office. An action for the removal of such officer may be brought, upon resolution of the city council, in the district court of the county in which such city is located.

Each board in cities of the metropolitan class shall consist of five members to be selected as follows:

The mayor, with the approval of the city council, shall appoint one member in 1966, for a term of five years, and one member for a term of four years, in 1968, ~~he the mayor~~ shall with the approval of the city council, appoint one member for a term of four years, and in 1969, ~~he the mayor~~ shall with the approval of the city council, appoint one member for a term of five years and one member for a term of four years; and upon the expiration of the terms of such appointed officers, members of the board shall be nominated by the mayor and approved by the city council, and shall serve for a term of five years. Any vacancy on such board, resulting other than from expiration of a term of office, shall be filled by the mayor, with the approval of the city council, and such appointee shall serve the unexpired portion, if any, of the term of the member whose office was vacated. Any member of such board may be removed from office by the mayor, for incompetence, neglect of duty, or malfeasance in office, with the consent and approval of the city council.

The members of the board hereby created shall not be entitled to compensation for their services, but shall be entitled to reimbursement of expenses paid or incurred in the performance of the duties imposed upon them by the provisions of this act to be paid as herein provided in section 23-1112 for county officers and employees. A majority of the members of the board then in office shall constitute a quorum. The board may delegate to one or more of the members, or to its officers, agents, and employees, such powers and duties as it may deem proper. The board and its corporate existence shall continue only for a period of twenty years from the date of appointment of the members thereof and thereafter until all its liabilities have been met and its bonds have been paid in full or such liabilities and bonds have otherwise been discharged. When all liabilities incurred by the authority of every kind and character have been met and all its bonds have been paid in full, or such liabilities and bonds have otherwise been discharged, all rights and properties of the authority shall pass to and be vested in the city. The authority shall have and retain full and exclusive jurisdiction and control over all projects under its jurisdiction, with the right and duty to charge and collect revenue therefrom, for the benefit of the holders of any of its bonds or other liabilities. Upon the authority's ceasing to exist all its remaining rights and properties shall pass to and vest in the city.

Sec. 14. That section 3-611, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

3-611. In addition to the powers granted by sections 3-601 to 3-609, any county may create an airport authority. Such authority shall be managed and controlled by a board which shall have full and exclusive jurisdiction and control over all facilities owned or thereafter acquired by such county for airport purposes. Each such board shall be a body corporate and politic, constituting a public corporation and an agency of the county for which such board is established. Each board shall consist of five members. Except for members initially appointed, members shall serve for terms of six years and shall be nominated and elected in the manner provided by law for election of nonpartisan officers of the county. Two members shall be elected at the first general election after creation of the authority, two members at the second general election after creation of the authority, and one member at the third general election after the creation of the authority. The county board creating the authority shall appoint board members to serve until their elected successors take office. Members of the board must be residents of the county for

which the authority is created. Any vacancy on a board shall be filled by temporary appointment by the county board until a successor can be elected at the next general election. A member of such board may be removed from office for incompetence, neglect of duty, or malfeasance in office. An action for removal of such member may be brought, upon resolution by the county board, in the district court of the county in which the authority is located.

The members of the board shall not be entitled to compensation for their services, but shall be entitled to reimbursement of expenses paid or incurred in the performance of the duties imposed upon them by the provisions of sections 3-601 to 3-622 with reimbursement for mileage to be made at the rate provided in section 23-1112 for county officers and employees. A majority of the members of the board then in office shall constitute a quorum. The board may delegate to one or more of the members, or to its officers, agents, and employees, such powers and duties as it may deem proper. The board and its corporate existence shall continue only for a period of twenty years from the date of appointment of the members thereof and thereafter until all its liabilities have been met and its bonds have been paid in full or such liabilities and bonds have otherwise been discharged. When all liabilities incurred by the authority of every kind and character have been met and all its bonds have been paid in full, or such liabilities and bonds have otherwise been discharged, all rights and properties of the authority shall pass to and be vested in the county. The authority shall have and retain full and exclusive jurisdiction and control over all projects under its jurisdiction, with the right and duty to charge and collect revenue therefrom, for the benefit of the holders of any of its bonds or other liabilities. Upon the authority's ceasing to exist all its remaining rights and properties shall pass to and vest in the county.

The board may enter into leases for nonaviation purposes for periods longer than the corporate existence of the board for a maximum period of twenty years. Such leases shall be subject to the approval of the county at the time the leases are entered into. At the conclusion of the corporate existence of the board, such leases shall pass to the control of the county.

The board may enter into leases for nonaviation purposes with the State of Nebraska or any political subdivision for land and land improvements. Such leases may be entered into for a maximum of forty years. At the conclusion of the corporate existence of the board, such leases shall pass to the control of the county.

Sec. 15. That section 3-705, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

3-705. The members of the board shall not be entitled to compensation for their services, but shall be entitled to reimbursement for expenses paid or incurred in the performance of the duties imposed upon them by the provisions of sections 3-701 to 3-716 with reimbursement to be made in the same manner as provided in section 23-1112 for county officers and employees. A majority of the members of the board then in office shall constitute a quorum. The board may delegate to one or more of its members, or to its officers, agents, and employees, such powers and duties as it may deem proper. The joint authority and its corporate existence shall continue only for a period of thirty years from the date of its initial organization and thereafter until all its liabilities have been met and its bonds have been paid in full or such liabilities and bonds have otherwise been discharged or arrangements for such payment or discharge duly made and provided for. When all liabilities incurred by the joint authority of every kind and character have been met and all its bonds have been paid in full, or such liabilities and bonds have otherwise been discharged or arrangements for such payment or discharge duly made and provided for, all rights and properties of the joint authority shall pass to and be vested in such public body as the board may deem advisable and in the best public interest, and the board may make such agreements and take such actions as it shall determine upon with respect thereto. Provision for ultimate disposition of the rights and properties of the joint authority may also be set forth in the agreement pursuant to which the joint authority is organized, and any such provisions shall be controlling. The joint authority shall have and retain full and exclusive jurisdiction and control over all projects under its jurisdiction, with the right and duty to charge and collect revenue therefrom, for the benefit of the holders of any of its bonds or other liabilities.

Sec. 16. That section 14-1706, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

14-1706. The authority shall annually elect a chairman chairperson and vice-chairman vice-chairperson from its members and a secretary and treasurer who shall not be a member of the authority. A quorum for the transaction of business shall consist of four members of the authority. The affirmative vote of four members shall be necessary for any action taken by the authority. No vacancy in the membership shall impair the right of

the quorum to exercise all the rights and perform all the duties of the authority. The members of the authority shall receive no compensation for services rendered, but shall be reimbursed for all expenses incurred by them in the exercise of their duties in the same manner as provided in section 23-1112 for county officers and employees and for the cost of their bonds. The secretary and treasurer may be compensated in such amounts as the authority from time to time shall fix, and he or she may be required to give bond, in the amount prescribed by the authority, before entering upon his or her duties as such secretary and treasurer. The premium of such bond shall be paid for by the authority.

Sec. 17. That section 14-1803, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

14-1803. Any city of the metropolitan class may create by ordinance a transit authority to be managed and controlled by a board of five members which shall be appointed as provided in section 14-1813, and shall have full and exclusive jurisdiction and control over all facilities owned or acquired by such city for a public passenger transportation system; Provided, that the governing body of such city, in the exercise of its discretion, shall find and determine in the ordinance creating such transit authority that its creation is expedient and necessary. The chairman chairperson of such transit authority shall be paid, as compensation for his or her services, not more than two hundred fifty dollars per month. Each other member of such transit authority shall be paid, as compensation for his or her services, not more than two hundred dollars per month. All salaries and compensation shall be obligations against and paid solely from the revenue of such transit authority. Members of such transit authority shall also be entitled to reimbursement for expenses paid or incurred in the performance of the duties imposed upon them by sections 14-1801 to 14-1814, 14-1816, 14-1818 to 14-1823, 14-1825, and 14-1826 with reimbursement for mileage to be made at the rate provided in section 23-1112 for county officers and employees. The board may delegate to one or more of the members, or to its officers, agents, and employees, such powers and duties as it may deem proper. Any transit authority created pursuant to sections 14-1801 to 14-1814, 14-1816, 14-1818 to 14-1823, 14-1825, and 14-1826 shall have and retain full and exclusive jurisdiction and control over all public passenger transportation systems in such city, excluding taxicabs and railroad systems, with the right and duty to charge and collect revenue for the operation and maintenance of such systems and for the benefit of

the holders of any of its bonds or other liabilities. In the event such authority ceases to exist, its rights and properties shall pass to and vest in such city.

Sec. 18. That section 19-706, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

19-706. The district judges constituting the aforesaid court of condemnation shall each receive from and be paid by such city or village fifteen dollars per day for their services and their necessary traveling expenses, hotel bills, and all other necessary expenses incurred while in attendance upon the sittings of such court of condemnation, with reimbursement for expenses to be made as provided in sections 84-306.01 to 84-306.05 for state employees, and the city or village shall pay the reporter that may be appointed by said court such an amount as said court of condemnation shall allow him or her. The sheriff shall serve all such summons, subpoenas, or other orders or papers ordered issued or served by such condemnation court at the same rate and compensation for which he or she serves like papers issued by the district court, but shall account for all such compensation to the county as is required by him or her under the law governing his or her duties as sheriff of the county. The court of condemnation shall have power to apportion the cost made before it, between the city or village and the corporation or party owning any such plant, works, or system and the city or village shall provide for and pay all such costs or portion of costs as the said court shall order, and shall also make provisions for the necessary funds and expenses to carry on the proceedings of such condemnation court, from time to time while such proceedings are in progress, but in the event the city or village elects to abandon the condemnation proceedings, as aforesaid, then the city or village shall pay all the costs made before such condemnation court; Provided, if services of expert witnesses are secured then their fees or compensation to be taxed and paid as costs shall be only such amount as the said condemnation court shall fix, notwithstanding any contract between such experts and the party producing them to pay them more, but a contract to pay them more than the court shall allow as costs may be enforced between any such experts and the litigant or party employing them. The costs made by any such appeal or appeals shall be adjudged against the party defeated in such appeal in the same degree and manner as is done under the general court practice relating to appellate proceedings.

Sec. 19. That section 21-17,133, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

21-17,133. (1) The board of directors of the corporation shall consist of not fewer than five nor more than eleven persons serving terms as established in the plan of operation.

(2) At the first annual meeting of the corporation and at each annual meeting to be held each year thereafter, the member depository institutions shall elect directors for terms of office as provided in the plan of operation. Vacancies on the board shall be filled for any remaining period of the term by a majority vote of the remaining directors.

(3) In order to be eligible for appointment or selection to the board of directors, a person shall have served for at least two years in an official capacity with an eligible member depository institution chartered and existing under the laws of the State of Nebraska.

(4) Members of the board may be reimbursed from the assets of the corporation for reasonable and necessary expenses incurred by them as members of the board of directors, with reimbursement for expenses to be made as provided in sections 84-306.01 to 84-306.05 for state employees, no members of the board shall be compensated for their services.

Sec. 20. That section 21-2307, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

21-2307. The corporation shall have a board of directors in which all powers of the corporation shall be vested and which shall consist of any number of directors, not less than three, all of whom shall be duly qualified electors of and taxpayers in the municipality. The directors shall serve as such without compensation except that they shall be reimbursed for their actual expenses incurred in the performance of their duties under sections 21-2301 to 21-2318 with reimbursement for expenses to be made as provided in sections 84-306.01 to 84-306.05 for state employees. The director shall be elected by the governing body of the municipality. Any meeting held by the board of directors for any purpose whatsoever shall be open to the public.

Sec. 21. That section 23-114.01, Revised Statutes Supplement, 1980, be amended to read as follows:

23-114.01. (1) In order to avail itself of the powers conferred by section 23-114, the county board shall appoint a planning commission to be known as the county planning commission. The members of the commission shall be residents of the county to be planned and shall be appointed with due consideration to geographical and population factors. Since the primary focus of concern and control in county planning and land-use regulatory programs is the unincorporated area, by July 1, 1979, a maximum of two members of the commission shall be residents of incorporated areas; Provided, that this requirement shall not apply to joint planning commissions. As members of the commission, they shall serve without compensation except for reasonable expenses in an amount to be fixed by the county board with reimbursement for mileage to be made at the rate provided in section 23-112 for county officers and employees and shall hold no county or municipal office, except that a member may also be a member of a city, village, or other type of planning commission. The terms of each member shall be three years, except that approximately one-third of the members of the first commission shall serve for a term of one year, one-third for a term of two years, and one-third for a term of three years. All members shall hold office until their successors are appointed. Members of the commission may be removed by a majority vote of the county board for inefficiency, neglect of duty, or malfeasance in office or other good and sufficient cause upon written charges being filed with the county board and after a public hearing has been held regarding such charges. Vacancies occurring otherwise than through the expiration of term shall be filled for the unexpired term by individuals appointed by the county board.

(2) The county planning commission shall prepare and adopt as its policy statement a comprehensive development plan and such implemental means as a capital improvement program, subdivision regulations, building codes, and zoning resolution; consult and advise with public officials and agencies, public utilities, civic organizations, educational institutions, and with citizens with relation to the promulgation of implemental programs; have the power to delegate authority to any of these named groups to conduct studies and make surveys for the commission; and make preliminary reports on its findings and hold public hearings before submitting its final reports. The county board shall not hold its public meetings or take action on matters relating to the comprehensive development plan, capital improvements, building codes, subdivision development, or zoning until it has received the recommendations of the planning commission.

(3) The commission may with the consent of the governing body, in its own name, make and enter into contracts with public or private bodies; receive contributions, bequests, gifts, or grants of funds from public or private sources; expend the funds appropriated to it by the county board; employ agents and employees; and acquire, hold, and dispose of property. The commission may on its own authority make arrangements consistent with its program; conduct or sponsor special studies or planning work for any public body or appropriate agency; receive grants, remuneration, or reimbursement for such studies or work; and at its public hearings, summon witnesses, administer oaths, and compel the giving of testimony.

(4) In all counties in the state, the county planning commission may grant conditional uses or special exceptions to property owners for the use of their property if the county board of commissioners or supervisors has officially and generally authorized the commission to exercise such powers and has approved the standards and procedures the commission adopted for equitably and judiciously granting such conditional uses or special exceptions. The granting of a conditional use permit or special exception shall only allow property owners to put their property to a special use if it is among those uses specifically identified in the county zoning regulations as classifications of uses which may require special conditions or requirements to be met by the owners before a use permit or building permit is authorized. The power to grant conditional uses or special exceptions shall be the exclusive authority of the commission, except that the county board of commissioners or supervisors may choose to retain for itself the power to grant conditional uses or special exceptions for those classifications of uses specified in the county zoning regulations. The county board of commissioners or supervisors may exercise such power if it has formally adopted standards and procedures for granting such conditional uses or special exceptions in a manner that is equitable and which will promote the public interest.

Sec. 22. That section 23-343.02, Revised Statutes Supplement, 1980, be amended to read as follows:

23-343.02. The salary of the members of the board of trustees of such facility or facilities as provided by section 23-343, shall be fixed by an order of the county board of such county at not to exceed one hundred dollars per annum, plus necessary mileage at the rate of ~~sixteen cents per mile~~ provided in section 23-1112 for county officers and employees while on

business of said facility or facilities.

Sec. 23. That section 23-343.26, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

23-343.26. The board of directors shall meet on or before the second Monday after the completion of organization of the district and shall organize by the election of a chairman chairperson, a vice-chairman vice-chairperson, and a secretary-treasurer. The members of such board shall serve without compensation, except that each shall be allowed his or her actual and necessary traveling and incidental expenses incurred in the performance of his or her official duties with reimbursement for mileage to be made at the rate provided in section 23-1112 for county officers and employees.

Sec. 24. That section 23-343.87, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

23-343.87. Within thirty days after the county board shall have declared the authority a public corporation, the trustees so appointed by the county board shall meet and elect one of their number chairman chairperson, one of their number vice-chairman vice-chairperson, and one of their number secretary of the authority. The trustees shall serve without compensation, except that each shall be allowed his or her actual and necessary traveling and incidental expenses incurred in the performance of his or her official duties with reimbursement for mileage to be made at the rate provided in section 23-1112 for county officers and employees. The board shall (1) adopt a seal, bearing the name of the authority, (2) keep a record of all of its proceedings which shall be open to inspection by all interested persons during regular business hours and under reasonable circumstances, and (3) establish the time and place of holding its regular meetings and the manner of calling special meetings and shall have the power from time to time to pass all necessary resolutions, orders, rules, and regulations for the necessary conduct of its business and to carry into effect the objects for which such authority was formed.

Sec. 25. That section 23-1112, Revised Statutes Supplement, 1980, be amended to read as follows:

23-1112. (1) When it is necessary for any county officer or his or her deputy or assistants, except any county sheriff or his or her deputy, to travel on business of the county, he or she shall be allowed

mileage at the rate of twenty-one cents per mile established for state employees pursuant to section 84-306-03, for each mile actually and necessarily traveled by the most direct route, if the trip or trips be made by automobile, but if travel by rail or bus shall be economical and practical, he or she shall be allowed only the actual cost of rail or bus transportation, upon the presentation of his or her bill for the same accompanied by a proper voucher, to the county board of his or her county in like manner as is provided for as to all other claims against the county.

(2) Any future adjustments made to the reimbursement rate provided in subsection (1) of this section, shall be deemed to apply to all provisions of law which refer to this section for the computation of mileage.

Sec. 26. That section 23-1112.01, Revised Statutes Supplement, 1980, be amended to read as follows:

23-1112.01. If a trip or trips included in an expense claim filed by any county officer or employee for mileage are made by personal automobile or otherwise, only one mileage claim shall be allowed at the rate established in section 23-1112, for state employees pursuant to section 84-306-03, for each mile actually and necessarily traveled by the most direct route, regardless of the fact that one or more persons are transported in the motor vehicle. No charge for mileage shall be allowed when such mileage accrues while using any motor vehicle owned by the State of Nebraska or by a county.

Sec. 27. That section 23-1210, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

23-1210. (1) The county attorney shall perform all of the duties enjoined by law upon the county coroner and the county attorney shall be the ex officio county coroner. The county attorney shall receive no additional fees for the performance of duties prescribed by statutes for county coroner, but shall be reimbursed for all actual necessary expenses incurred by him or her in the performance of such duties with reimbursement for mileage to be made at the rate provided in section 23-1112 for county officers and employees. ~~Provided, that the county attorney shall never be reimbursed for mileage computed at a rate greater than that allowed by the provisions of section 23-1112.~~

(2) The county attorney may delegate to the county sheriff that part of the coroner's duties as now

prescribed by statute which relates to viewing dead bodies and serving papers, except that in cases where there may be occasion to serve papers upon the sheriff, the county attorney may delegate such duty to the county clerk.

Sec. 28. That section 23-1614, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

23-1614. The person so appointed shall file sworn monthly statements with the Auditor of Public Accounts of his or her actual expenses incurred in performing the duties of his or her office as provided in sections 84-306.01 to 84-306.05 for state employees. ; ~~Provided, that in computing his actual and necessary expenses as aforesaid, no mileage or other traveling expenses shall be allowed any county treasurer examiner unless the provisions of section 84-306.04 are strictly complied with-~~

Sec. 29. That section 23-1724, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

23-1724. The members of the commission shall not receive a salary for their services but shall be reimbursed for such necessary expenses and mileage as may be incurred in the actual performance of their duties with reimbursement for mileage to be made at the rate provided in section 23-1112 for county officers and employees.

Sec. 30. That section 23-1820, Revised Statutes Supplement, 1980, be amended to read as follows:

23-1820. In each county there is hereby created the office of coroner's physician, who shall be appointed by the coroner of said county and be removable by the coroner, at a salary or schedule of fees or both to be set by the county board and to be paid by the county. Such physician shall certify the cause of death in every case of death in such county not certified by an attending physician and shall perform or cause to be performed an autopsy when requested by the coroner. Such physician shall perform such other services in aid of the coroner as shall be requested by the coroner and shall ~~make no claim for mileage for more than~~ be reimbursed for mileage at the rate provided in section 23-1112 for county officers and employees ten cents per mile for each mile actually and necessarily traveled by the most direct route, while in the performance of such physician's duties.

Sec. 31. That section 23-2505, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

23-2505. The members of the commission shall not receive compensation for their services but shall be reimbursed for such necessary expenses and mileage as may be incurred in the performance of their duties with reimbursement for mileage to be made at the rate provided in section 23-1112 for county officers and employees. The county board shall provide sufficient funds in order that such commission may function as set forth in sections 23-2501 to 23-2516.

Sec. 32. That section 23-2603, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

23-2603. There is hereby created and established in each county a commission, to be known and designated as (name of city) (name of county) public building commission; Provided, that sections 23-2601 to 23-2612 shall not become operative in any county unless and until the governing body of the county by resolution shall activate the commission for such county. A copy of such resolution certified by the county clerk shall be filed with and recorded by the Secretary of State, and also filed with the city clerk. Each such commission shall be a body politic and corporate and an instrumentality of the state.

Each commission shall be governed by a board of commissioners of five members, two of whom shall be appointed by the governing body of the county from among the members of such governing body, two of whom shall be appointed by the mayor of the city with the approval of the governing body of the city from among the members of such governing body, and the fifth of whom shall be appointed by the other four members. In the event the four members appointed by the county and the city cannot agree upon the fifth member, the Governor, upon request of such four members, or upon the request of the city or the county shall appoint the fifth member. The term of office of each member of the board, except for the initial members, shall be for four years, or until their successors shall have been appointed and taken office. Any vacancy on the board shall be filled by the governing body of the county if the person whose membership was vacated was appointed by the governing body of the county, shall be filled by the mayor of the city with the approval of the governing body of the city, if the person whose membership was vacated was appointed by the mayor and shall be filled by the remaining four members if the

person whose membership was vacated was appointed by the members of the board. The members of the board shall not be entitled to compensation for their services, but shall be entitled to reimbursement of expenses paid or incurred in the performance of the duties imposed upon them by the provisions of sections 23-2601 to 23-2614 with reimbursement for mileage to be made at the rate provided in section 23-114 for county officers and employees. A majority of the total number of members to which the board is entitled shall constitute a quorum and all action taken by the board shall be taken by a majority of such total number. The board may delegate to one or more of the members or to its officers, agents, and employees such powers and duties as it may deem proper. Any member of the board may be removed from office for incompetence, neglect of duty, or malfeasance in office. An action for the removal of a member of the board may be brought in the district court of the county upon resolution of the governing body of the city or the county.

The term of office of the two persons initially appointed to the board by the governing body of the county shall be for one and four years respectively, and such governing body shall designate which person shall serve for one year and which person shall serve for four years. The term of membership of the two persons initially appointed to the board by the mayor with the approval of the governing body of the city shall be for two and three years, and such governing body shall designate which person shall serve for two years and which person shall serve for three years. The term of membership of the person initially appointed by the other members of the board shall be for four years. Terms of membership on the board shall expire on the same day of the year, and the governing body of the county in making the first appointments to the board shall designate such expiration date.

The commission and its corporate existence shall continue only for a period of twenty years from the activation thereof and thereafter until all its liabilities have been met and its bonds have been paid in full or such liabilities and bonds have otherwise been discharged. Upon the commission's ceasing to exist all rights or properties of the commission shall pass to and be vested in the city and county.

Sec. 33. That section 24-326, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

24-326. Civil actions to which the state is a party shall, on motion of counsel on behalf of the state,

have priority of trial over other civil actions; and the several district courts having jurisdiction to try actions to which the state is a party shall have power to compel attendance of witnesses, as is now had by such courts in other civil actions, and on payment of fees and mileage at the rate provided in section 84-306.03 for state employees by the party desiring their attendance, may compel the attendance of witnesses from any county within the state.

Sec. 34. That section 24-342.02, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

24-342.02. The Supreme Court shall provide by rule for the recording and preservation of evidence in all cases in the district and separate juvenile courts and for the preparation of transcripts and bills of exceptions. Court reporters and other persons employed to perform the duties required by such rules shall be appointed by the judge under whose direction they work. The Supreme Court shall prescribe uniform salary schedules for such employees, based on their experience and training and the methods used by them in recording and preserving evidence and preparing transcripts and bills of exceptions. Salaries and actual and necessary expenses of such employees shall be paid by the State of Nebraska from funds appropriated to the Supreme Court. Such employees shall be reimbursed for their expenses as provided in sections 84-306.01 to 84-306.05 for state employees.

Sec. 35. That section 24-513, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

24-513. As soon as the same may be legally paid under the Constitution of Nebraska, each county judge shall receive an annual salary of twenty-eight thousand five hundred dollars per year, except that each county judge in a county judge district having a population of one hundred thousand or more according to the latest federal census shall receive an annual salary of thirty-four thousand four hundred fifty dollars per year. On January 8, 1981, the salary shall be increased to an amount equal to six per cent over the base salary. For the purposes of this section base salary shall mean the amount derived by increasing thirty-two thousand dollars by six per cent, except that for each county judge in a county judge district having a population of one hundred thousand or more base salary shall mean the amount derived by increasing thirty-six thousand nine hundred fifty dollars by six per cent. Judges of the county

court shall be considered to be of the same class and when one member of the class, as a judge of the county court, is entitled to a raise in salary, all members of the class shall be entitled to such raise in salary. All county judges shall be compensated for necessary travel expenses in the same manner as ~~judges--of--the--district~~ court provided in sections 84-306.01 to 84-306.05 for state employees. Salaries of associate county judges, clerks, and other employees of the court shall be set by the county judges, subject to the conditions of this section. When the county clerk serves as clerk of the county court, he or she shall receive one thousand dollars annually for such duties, in addition to the salary established pursuant to law for the county clerk. When the county clerk also serves as an associate county judge, he or she shall receive a minimum additional salary of one thousand dollars annually for such duties. The minimum salary for an associate county judge shall be twenty-four hundred dollars annually, but this minimum shall not apply to associate county judges appointed to serve on a pro tempore basis. The maximum salary for an associate county judge shall be three-fourths of the salary of a county judge, and this limitation shall apply when the same person is both associate county judge and clerk of the county court. In setting salaries for associate county judges, the county judges shall consider the caseload for the associate county judge and the amount of time he or she will actually be engaged in his or her duties. Salaries of associate county judges must be approved by the Supreme Court.

Sec. 36. That section 24-718, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

24-718. Members of the Commission on Judicial Qualifications shall serve without compensation but they shall be reimbursed for all reasonable expenses incurred by them in connection with their duties as members of the commission as provided in sections 84-306.01 to 84-306.05 for state employees.

Sec. 37. That section 24-731, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

24-731. A retired judge on temporary duty shall be reimbursed for his or her expenses at the same rate as ~~an--active--judge~~ provided in sections 84-306.01 to 84-306.05 for state employees, but shall submit a claim for reimbursement in the manner provided in section 24-733.

Sec. 38. That section 25-1227, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

25-1227. (1) Witnesses in civil cases cannot be compelled to attend a trial in the district court out of the state where they are served, nor at a distance of more than one hundred miles from the place of their residence, or from the place where they are served with a subpoena, unless within the same county. Witnesses in civil cases shall not be obliged to attend a deposition outside the county of their residence, or outside the county where the subpoena is served.

(2) A district court judge, for good cause shown, may, upon deposit with the clerk of the court of sufficient money to pay the legal fees and mileage and reasonable expenses for hotel and meals of such a witness who attends at points so far removed from his or her residence as to make it reasonably necessary that such expenses be incurred, order a subpoena to issue requiring the trial attendance, but excluding a deposition appearance, of such witness from a greater distance within the state than that provided in subsection (1) of this section. Mileage shall be computed at the rate provided in section 84-306.03 for state employees. The subpoena shall show that it is issued under the provisions hereof. After the appearance of such witness in response to any such subpoena, the judge shall enter an order directing the payment to the witness from such deposit of such legal fees, mileage, and the actual expenses for hotel and meals incurred by such witness. If such deposit is not adequate for such purpose, the judge shall direct the party procuring the issuance of such subpoena to pay to such witness the deficiency.

(3) No other subpoena except from the district court can compel a witness to attend for examination on the trial of a civil action, except in the county of his or her residence, nor to attend to give his or her deposition out of the county where he or she resides, or where he or she may be when the subpoena is served upon him or her.

Sec. 39. That section 29-752, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

29-752. When the punishment of the crime shall be the confinement of the criminal in the Nebraska Penal and Correctional Complex, the expenses shall be paid out of the state treasury, on the certificate of the Governor and warrant of the Auditor of Public Accounts; and in all

other cases they shall be paid out of the county treasury in the county wherein the crime is alleged to have been committed. The expenses shall be the fees paid to the officers of the state on whose Governor the requisition is made, and ~~not exceeding eight cents a mile for all~~ shall be equal to the mileage rate authorized in section 84-306.03 for state employees for each mile which is necessary to travel in returning such prisoner.

Sec. 40. That section 29-1903, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

29-1903. Any person accused of crime amounting to felony shall have compulsory process to enforce the attendance of witnesses in his or her behalf, and they shall be paid for their mileage and per diem the same fees as are now or may hereafter be allowed by law to witnesses for the state in the prosecution of such accused person. Mileage shall be computed at the rate provided in section 84-306.03 for state employees. In case such accused person is convicted and is unable to pay such mileage and per diem to his any witnesses, they shall be paid out of the county treasury of the county wherein such crime was committed; and in case such accused person is acquitted upon his or her trial, the fees of his or her witnesses shall be likewise paid out of such county treasury; Provided, however, in no case shall the fees of any such witnesses be so paid, unless before the trial of such accusations such accused person shall make and file his an affidavit, stating the names of his or her witnesses, and that he or she has made a statement to his or her counsel of the facts he or she expects to prove by such witnesses, and has been advised by such counsel that their testimony is material on the trial of such accusation, and shall also file an affidavit of such counsel that he or she deems the testimony of such witnesses necessary and material on behalf of such accused person; whereupon the court or judge shall make an order directing that such witnesses, not exceeding fifteen in number, be paid out of the county treasury of the county in which accusations shall be made.

Sec. 41. That section 29-1907, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

29-1907. If a judge of a court of record in any state, which by its laws has made provision for commanding persons within that state to attend and testify in this state, certifies under the seal of such court that there is a criminal prosecution pending in

such court, or that a grand jury investigation has commenced or is about to commence, that a person being within this state is a material witness in such prosecution, or grand jury investigation, and that his or her presence will be required for a specified number of days, upon presentation of such certificate to any judge of a court of record in the county in which such person is, such judge shall fix a time and place for a hearing, and shall make an order directing the witness to appear at a time and place certain for the hearing. If at a hearing the judge determines that the witness is material and necessary, that it will not cause undue hardship to the witness to be compelled to attend and testify in the prosecution or a grand jury investigation in the other state, and that the laws of the state in which the prosecution is pending, or grand jury investigation has commenced or is about to commence and of any other state through which the witness may be required to pass by ordinary course of travel, will give to him or her protection from arrest and the service of civil and criminal process, he or she shall issue a summons, with a copy of the certificate attached, directing the witness to attend and testify in the court where the prosecution is pending, or where a grand jury investigation has commenced or is about to commence at a time and place specified in the summons. In any such hearing the certificate shall be prima facie evidence of all the facts stated therein. If the certificate recommends that the witness be taken into immediate custody and delivered to an officer of the requesting state to assure his or her attendance in the requesting state, such judge may, in lieu of notification of the hearing, direct that such witness be forthwith brought before him or her for such hearing; and the judge at the hearing being satisfied of the desirability of such custody and delivery, for which determination the certificate shall be prima facie proof of such desirability, may, in lieu of issuing subpoena or summons, order that the witness be forthwith taken into custody and delivered to an officer of the requesting state. If the witness, who is summoned as above provided, after being paid or tendered by some properly authorized person the sum of ten cents a mile an amount equal to the rate authorized in section 84-306.03 for mileage for state employees for each mile by the ordinary traveled route to and from the court where the prosecution is pending and five dollars for each day that he or she is required to travel and attend as a witness, fails without good cause to attend and testify as directed in the summons, he or she shall be punished in the manner provided for the punishment of any witness who disobeys a summons issued from a court of record in this state.

Sec. 42. That section 29-1908, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

29-1908. If a person in any state, which by its laws has made provision for commanding persons within its borders to attend and testify in criminal prosecutions, or grand jury investigations commenced or about to commence, in this state, is a material witness in a prosecution pending in a court of record in this state, or in a grand jury investigation which has commenced or is about to commence, a judge of such court may issue a certificate under the seal of the court stating these facts and specifying the number of days the witness will be required. Such certificate may include a recommendation that the witness be taken into immediate custody and delivered to an officer of this state to assure his or her attendance in this state. This certificate shall be presented to a judge of a court of record in the county in which the witness is found. If the witness is summoned to attend and testify in this state he or she shall be tendered ~~the sum of ten cents a~~ mile an amount equal to the rate authorized in section 84-306.03 for mileage for state employees for each mile by the ordinary traveled route to and from the court where the prosecution is pending, and five dollars for each day that he or she is required to travel and attend as a witness. A witness who has appeared in accordance with the provisions of the summons shall not be required to remain within this state a longer period of time than the period mentioned in the certificate, unless otherwise ordered by the court. If such witness, after coming into this state, fails without good cause to attend and testify as directed in the summons, he or she shall be punished in the manner provided for the punishment of any witness who disobeys a summons issued from a court of record in this state.

Sec. 43. That section 29-2259, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

29-2259. (1) The salaries, actual and necessary expenses, and expenses incident to the conduct and maintenance of the office shall be paid by the state. Actual and necessary expenses shall be paid as provided in sections 84-306.01 to 84-306.05 for state employees.

(2) The salaries and actual and necessary travel expenses of the service shall be paid by the state. Actual and necessary expenses shall be paid as provided in sections 84-306.01 to 84-306.05 for state employees.

(3) The expenses incident to the conduct and maintenance of the principal office within each probation district shall in the first instance be paid by the county in which it is located but such county shall be reimbursed for such expenses by all other counties within the probation district to the extent and in the proportions determined by the Nebraska Probation System Committee based upon population, number of investigations and probation cases handled, or upon such other basis as the committee deems fair and equitable.

(4) Each county shall provide office space and necessary facilities for probation officers performing their official duties and shall bear the costs incident to maintenance of such offices, other than salaries and travel expenses.

(5) The probation administrator shall prepare a budget and request for appropriations for the office and shall submit such request to the Nebraska Probation System Committee and with its approval to the appropriate authority in accordance with law.

Sec. 44. That section 29-2539, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

29-2539. The members of such commission shall each receive mileage at the rate of ~~ten cents per mile~~ authorized in section 84-306.03 for state employees for each mile actually and necessarily traveled in reaching and returning from the place where the convict is confined and examined, and it is hereby made the duty of the commission to act in this capacity without compensation other than that already provided for them by law. All of the findings and orders aforesaid shall be entered in the district court records of the county wherein the convict was originally tried and sentenced, and the costs therefor, including those providing for the mileage of the members of the commission, shall be allowed and paid in the usual manner by the county in which the convict was tried and sentenced to death.

Sec. 45. That section 29-3204, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

29-3204. The order to the witness and to the person having custody of the witness shall provide for the return of the witness at the conclusion of his or her testimony, proper safeguards on his or her custody, and proper financial reimbursement or prepayment by the requesting jurisdiction for all expenses incurred in the

production and return of the witness, and may prescribe such other conditions as the judge thinks proper or necessary. Mileage and expenses shall be allowed as provided in sections 84-306.01 to 84-306.05 for state employees. The order shall not become effective until the judge of the state requesting the witness enters an order directing compliance with the conditions prescribed.

Sec. 46. That section 31-219, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

31-219. The appraisers shall receive the sum of three dollars per day for the time necessarily employed, together with necessary traveling expenses, with reimbursement for mileage to be made at the rate provided in section 23-1112 for county officers and employees, to be taxed as costs and to be paid from the money received from said special assessments as provided in section 31-211.

Sec. 47. That section 32-403, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

32-403. (1) The county clerk of each county, except in counties having an election commissioner, shall, at least fifteen days prior to the primary election, give notice of appointment by each political party of three judges and two clerks of election in each election precinct in the county to be known as the receiving board. Any clerk of election may perform the duties of a judge of election, except the signing of ballots, and any judge of election may perform the duties of clerk of election.

(2) In precincts where more than one hundred votes were polled for Governor at the last gubernatorial election, or for President at the last presidential election, the county clerk of a county referred to in subsection (1) of this section shall, in the same manner, appoint two judges and two clerks to be known as the election counting board, which appointees shall be not more than sixty-five years of age.

(3) Each of the appointees, referred to in subsections (1) and (2) of this section, shall (a) be of good character, approved integrity, well informed, and able to read, write, and speak the English language, (b) reside in the election precinct in which he or she is to serve, (c) be entitled to vote in the election precinct, and (d) hold office for a term of two years or until

judges and clerks of election are appointed for the next primary election.

(4) In precincts where there were less than one hundred votes cast for the office of Governor at the last gubernatorial election, or for the office of President at the last presidential election, whichever was most recent, the receiving board shall count the ballots after the polls have closed or, if the county clerk deems it necessary, he or she may appoint a counting board to commence its duties at a specified time set by the county clerk. The counting board shall follow the procedures set forth in section 32-480 in the exchange of ballot boxes. At any time the receiving board becomes the counting board after the polls have closed or at any time a counting board is appointed, the county clerk shall follow subsections (1) to (3) of this section in making his or her appointments.

(5) No person shall be eligible to serve on any election or counting board who is a candidate for any office except delegate to a county political convention at such election.

(6) The county clerk, except in counties having an election commissioner, shall at the time of appointing the three judges and two clerks of election on the receiving board, as provided for by subsection (1) of this section, designate one of the appointees as a messenger whose duty it shall be to receive from the county clerk the ballots and other equipment necessary for holding the election in the precinct of which he or she is a judge or clerk. Such ballots and other equipment shall be delivered by the messengers at the polling place in their respective voting precincts, at least one hour before the time provided by law for opening the polls.

(7) At the time of appointing the election counting board, as provided for by subsection (2) of this section, the county clerk shall designate one of the appointees as a messenger to take charge and return the ballots and other equipment to the county clerk as soon as possible after the votes are counted. In precincts where there is no counting board the messenger designated to receive the ballots from the county clerk shall be the messenger to return the equipment to the county clerk.

(8) The county clerk, except in counties having an election commissioner, may also appoint, as shall be necessary, not to exceed six persons, qualified as specified in subsections (3) and (5) of this section, to serve in case of a vacancy among any of the judges or

clerks, or with and in addition to the officers in any election district, wherein it may be deemed necessary by the county clerk to meet any emergency to have additional officers to carry into effect the provisions of Chapter 32. Such appointees shall commence their duties at the hour ordered by the county clerk and perform such duties as the county clerk may direct, including the duties of a judge or clerk of election or of the counting board. Such an appointee shall receive the same compensation as that of the judges of such election district.

(9) Judges and clerks of elections and the board of canvassers for the county shall receive the following pay: For each hour of service rendered, each person shall receive two dollars and thirty cents, but in precincts having a counting board, no member of the receiving board shall receive pay for more than fourteen hours of service. Each member of the election board shall sign an affidavit stating the number of hours he or she has worked.

The messenger appointed to receive and deliver the election supplies to the election place and the messenger appointed to make the returns to the county clerk shall each receive for such service five dollars and mileage at the rate provided in section 23-112 for county officers and employees. ~~paid--county--board members.~~ All such expenses shall be paid out of the general fund of the county.

Sec. 48. That section 32-549, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

32-549. The Secretary of State shall incorporate in his or her budget the sum of five hundred dollars for the payment of claims presented by the electors of the electoral college. The electors shall receive a compensation of five dollars for every day's attendance, and the same mileage as ~~members--of--the--Legislature~~ provided in section 84-306.03 for state employees.

Sec. 49. That section 33-108, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

33-108. (1) In all cases where the county attorney has engaged in the courts of another county in any suit, application or motion, either civil or criminal, in which the state or county is a party interested, which has been transferred by change of venue from his or her county to another county, he or she shall be allowed his or her reasonable and necessary traveling

and hotel expenses while so engaged, in addition to his or her regular salary.

(2) The expenses, referred to in subsection (1) of this section, shall be paid to him or her upon the presentation of his a bill for the same, accompanied by proper vouchers, to the county board of his or her county, in like manner as provided in all other cases of claims against the county; Provided, that in computing reasonable and necessary traveling expenses, as aforesaid, he or she shall ~~not make claim to nor shall~~ be allowed mileage at ~~a~~ the rate ~~greater than that~~ allowed by the provisions of section 23-1112, but, if travel by rail or bus be economical and practical and if mileage expense may be reduced thereby, he or she shall be allowed only the actual cost of rail or bus transportation.

Sec. 50. That section 33-116, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

33-116.. Each county surveyor shall be entitled to receive the following fees: (1) For all services rendered to the county or state, not to exceed the sum of forty dollars per day; and (2) for each mile actually and necessarily traveled in going to and from work, the rate allowed by the provisions of section 23-1112 for county officers and employees. All expense of necessary assistants in the performance of the above work, the fees of witnesses, and material used for perpetuation and reestablishing lost exterior section and quarter corners necessary for the survey shall be paid for by the county and the remainder of the cost of the survey shall be paid for by the parties for whom the work may be done. All necessary equipment, conveyance, and repairs to such equipment, required in the performance of the duties of the office, shall be furnished such surveyor at the expense of the county; Provided, that in any county with a population of less than fifty thousand, but more than twenty thousand, the county board may, in its discretion, allow the county surveyor a salary of not to exceed nine thousand dollars per annum, payable monthly, by warrant drawn on the general fund of the county, and all fees received by surveyors so receiving a salary may, with the authorization of the county board, be retained by the surveyor, but in the absence of such authorization all such fees shall be turned over to the county treasurer monthly for credit to the county general fund.

Sec. 51. That section 33-117, Revised Statutes Supplement, 1980, be amended to read as follows:

33-117. (1) The several sheriffs shall charge and collect fees as follows: Serving capias with commitment or bail bond and return, two dollars; serving search warrant, two dollars; arresting under search warrant, two dollars for each person so arrested; serving summons, subpoena in equity, order of attachment, order of replevin, writ of injunction, scire facias, citation, or other writ or mesne process and return thereof, one dollar for the first defendant and fifty cents for each of the other defendants in the same case; copy of summons, subpoena in equity or order of attachment, fifty cents; serving subpoena for witness, each person served, fifty cents; taking and filing replevin bond or other indemnification to be furnished and approved by the sheriff, one dollar; making a copy of any process, bond, or paper other than herein provided for, fifty cents; traveling expenses for each mile actually and necessarily traveled within or without their several counties in their official duties, twenty-four cents three cents more per mile than the rate provided for county officers and employees in section 23-1112, except that the minimum fee shall be fifty cents when such service is made within two miles of the courthouse; and, as far as is expedient, all papers in the hands of the sheriff at any one time shall be served in one or more trips by the most direct route or routes and only one mileage fee shall be charged for a single trip, the total mileage cost to be computed as a unit for each trip and the combined mileage cost of each trip to be prorated among the persons or parties liable for the payment of same; levying writ of execution and return thereof, two dollars; levying writ of possession without the aid of the county, two dollars; levying writ of possession with the aid of the county, four dollars; summoning the grand jury, not including mileage to be paid by the county, ten dollars; summoning petit jury, not including mileage to be paid by the county, twelve dollars; summoning special jury for each person impaneled, fifty cents; calling jury for trial of a case or cause, fifty cents; serving notice of motion, other notice, or order of court, one dollar; executing writ of restitution and return, two dollars; calling inquest to appraise lands and tenements levied on by execution, one dollar; calling inquest to appraise goods and chattels taken by order of attachment or replevin, one dollar; advertisement of sale in newspaper in addition to the price of printing, one dollar; advertising in writing for sale of real or personal property, two dollars; executing writ of partition, four dollars; making deeds for land sold on execution or order of sale, two dollars; committing prisoner to prison, one dollar; commission on all money received and disbursed by him or her on execution or order of sale, order of attachment decree, or on sale of real or personal property shall be for each

dollar, not exceeding four hundred dollars, six cents; for every dollar above four hundred dollars and not exceeding one thousand dollars, four cents; for every dollar above one thousand dollars, two cents; Provided, in all cases where no money is received or disbursed by him or her no percentage shall be allowed; for guarding prisoners when it is actually necessary, four dollars per day, to be paid by the county; where there are prisoners confined in the county jail, ten dollars shall be allowed the sheriff as jailer; except as provided in sections 47-118 to 47-121, for boarding prisoners, other than state prisoners, three dollars and fifty cents per day, in all counties where there is an average of less than fifty prisoners per day, computed on the basis of all kinds of prisoners, whether city, county, state, federal, or any other class, confined in the jail, and ninety cents per day where there is an average of more than fifty such prisoners per day; and provided further, the fees for committing, guarding, confining, and the boarding of prisoners, other than state prisoners, in counties having a population of more than two hundred thousand inhabitants shall, until January 1, 1983, be governed by section 33-117.01 and after January 1, 1983, by section 47-121.

(2) The sheriff shall, on the first Tuesday in January, April, July, and October of each year, make a report to the county board, showing (a) the different items of fees, except mileage, collected or earned, from whom, at what time, and for what service, (b) the total amount of such fees collected or earned by such officer since the last report, and (c) the amount collected or earned for the current year. He or she shall pay all fees earned to the county treasurer, who shall credit same to the general fund of the county.

(3) Any future adjustment made to the reimbursement rate provided in subsection (1) of this section shall be deemed to apply to all provisions of law which refer to this section for the computation of mileage.

Sec. 52. That section 33-133, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

33-133. Notaries public may charge and collect fees as follows: For each protest, one dollar; for recording the same, fifty cents; for each notice of protest, twenty-five cents; for taking affidavits and seal, twenty-five cents; for administering oath or affirmation, five cents; for taking deposition, for each one hundred words contained in such deposition and in the

certificate, ten cents and no more; for each certificate and seal, twenty-five cents; for taking acknowledgment of deed or other instrument, fifty cents; and for each mile traveled in serving notice, five-cents mileage at the rate provided in section 84-306.03 for state employees.

Sec. 53. That section 33-135.01, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

33-135.01. Constables shall be allowed the same fees, including mileage, as are allowed sheriffs for like services as provided in section 33-117.

Sec. 54. That section 33-138, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

33-138. (1) Each member of a grand or petit jury in a district, county, or municipal court shall receive for his or her services twenty dollars for each day employed in the discharge of his or her duties, and mileage at the rate provided in section 84-306.03 for state employees of ten-cents for each mile necessarily traveled. No juror shall be entitled to pay for the days he or she is voluntarily absent or excused from service by order of the court. No juror shall be entitled to pay for Saturdays or holidays unless actually employed in the discharge of his or her duties as a juror on such days.

(2) In the event that any temporary release from service, other than that obtained by the request of a juror, shall occasion an extra trip or trips to and from the residence of any juror or jurors the court may, by special order, allow mileage for such extra trip or trips.

(3) Payment of jurors for service in the district and county courts shall be made by the county. Payment of jurors for service in the municipal court shall be made by the city.

Sec. 55. That section 33-139, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

33-139. Witnesses before the district court and the county or municipal court, except the Small Claims Court, and the grand jury shall receive twenty dollars, and witnesses before the Small Claims Court shall receive eight dollars, for each day actually employed in attendance on the court or grand jury, and if the said witness shall reside more than one mile from the

courthouse or place where the court is held, he or she shall receive mileage at the rate provided in section 84-306.03 for state employees ~~eight-cents~~ for each mile necessarily traveled.

Sec. 56. That section 35-506, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

35-506. At the time and place fixed by the county clerk for the public meeting as provided in section 35-505, the electors who are owners of any interest in real or personal property assessed for taxation in the district and who are residing within the boundaries of the district shall have the opportunity to decide by majority vote of those present whether the organization of the district shall be completed. Permanent organization shall be effected by the election of a board of directors consisting of five residents of the district. Such directors shall at the first regular meeting after their election select from the board a president, a vice president, and a secretary-treasurer who shall serve as the officers of the board of directors for one year. The board shall reorganize itself annually. The elected member of the board of directors receiving the highest number of votes in the election shall preside over the first regular meeting until the officers of such board have been selected. The three members receiving the highest number of votes shall serve for a term of four years, and the other two members for a term of two years; and this provision shall apply to directors elected at the organizational meeting of the district, and shall also apply to the next regular election of directors of districts in existence on August 4, 1969. Election of directors of existing districts shall be held by the qualified electors present at the regular annual meeting provided for in section 35-507 which is held in the calendar year during which the terms of directors are scheduled to expire. As the terms of these members expire, their successors shall be elected for four years and hold office until their successors have been elected; Provided, that if the district shall embrace more than one township each township may be represented on the board of directors, unless there are more than five townships within the district and in such event there shall be only five directors on the board and no township shall have more than one member elected to such board of directors. In case of a vacancy on account of the resignation, death, or for malfeasance or nonfeasance of a member, the remaining members of the board shall fill the vacancy for the unexpired term. The person appointed to fill the vacancy shall be from the same area as the person whose office is vacated if

possible, otherwise from the district at large. The members of the board of directors of a rural or suburban fire protection district shall receive ten dollars for each meeting of the board, but not to exceed four meetings in any calendar year. When it is necessary for any member of the board of directors to travel on business of the district and to attend meetings of the district, he shall be district and to attend meetings of the district, he or she shall be allowed mileage at a the rate provided in section 84-306.03 for state employees of not-more-than-ten-cents-per-mile for each mile actually and necessarily traveled.

Sec. 57. That section 37-603, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

37-603. It shall be the duty of all conservation officers, deputy conservation officers, sheriffs, deputy sheriffs, constables, and other police officers to make prompt investigation of and arrests for any violations of the provisions of this act, and of all conservation officers and deputy conservation officers to make prompt investigations of and arrests for any violations of the provisions of Chapter 81, article 8, respecting the Game and Parks Commission, reported by any person, and to cause a complaint to be filed before a court having jurisdiction thereof in case there seems just ground for such complaint, and evidence procurable to support the same. Upon the filing of such a complaint it shall be the duty of such officer to render assistance in the prosecution of the party complained against. Sheriffs, deputy sheriffs, constables, and other police officers making arrests and serving warrants under the provisions hereof shall receive the same fees and mileage as constables are entitled to in similar cases, under the provisions of the statutes of the state with mileage to be computed at the rate provided for county sheriffs in section 33-117. All full-time conservation officers and full-time deputy conservation officers are hereby made peace officers of the state with the powers of sheriffs and constables. It shall be the duty of all conservation officers, deputy conservation officers, sheriffs, deputy sheriffs, constables, and other police officers to make prompt investigations of any violations of Chapter 37, or of sections 81-801 to 81-815.39, observed or reported by any person, and of any crime observed or encountered, and to make arrests or issue a summons, or both, to or otherwise notify any resident of this state to appear at a place specified in such summons or notice and at a time likewise specified at least five days after such arrest, unless the person arrested shall demand an earlier hearing or, if such person so desires, at an immediate

hearing or a hearing within twenty-four hours thereafter at a convenient hour before a magistrate within the township or county wherein such offense was committed. Any resident refusing to give written promise to appear or any nonresident refusing to give a guaranteed arrest bond or similar written instrument shall be taken immediately by such officer before the nearest or most accessible magistrate. Any person who willfully violates his or her written promise to appear shall be guilty of a misdemeanor regardless of the disposition of the charge upon which he or she was originally arrested and shall, upon conviction thereof, be fined in an amount not less than ten dollars nor more than one hundred dollars, or be imprisoned in the county jail not exceeding thirty days. Conservation officers and deputy conservation officers shall serve writs and processes, civil and criminal, when such writs and processes pertain to enforcement of duties imposed by law on the Game and Parks Commission. It shall be the duty of every officer, as well as of the sheriffs and constables in their respective counties, to arrest any person whom he or she has reason to believe guilty of a violation of the provisions of this act; and, with or without a warrant, to open, enter and examine all camps, wagons, cars, stages, tents, packs, warehouses, stores, outhouses, stables, barns and other places, boxes, barrels and packages where he or she has reason to believe any fish or game, song, insectivorous, or other birds, or raw furs, taken or held in violation of this act, are to be found, and to seize the same; Provided, a dwelling house actually occupied can be entered only upon authority of a search warrant. Any officer, or person purporting to enforce the laws of this state, or regulations adopted pursuant thereto, shall on the demand of any person apprehended by him or her exhibit to such person his or her written commission of authority as such enforcement officer.

Sec. 58. That section 39-869, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

39-869. (1) The bridge commission shall consist of three persons of well-known and successful business qualifications. The commissioners shall immediately enter upon their duties and hold office until the expiration of two, four, and six years, respectively, from the date or dates of their appointments. The term of each shall be designated by the governing body of the county, but their successors shall be appointed for the term of six years, except that any person appointed to fill a vacancy shall serve only for the unexpired term. Not more than two of such commissioners shall be members of the same political party. The commissioners, before

entering upon their duties, shall take, subscribe, and file an oath of office as required by law.

(2) Such bridge commission shall elect a chairman chairperson and vice-chairman vice-chairperson from its members and a secretary-treasurer, who need not be a member of such commission. Each member of the commission shall serve without compensation but shall be paid his or her actual expenses, while engaged in performing the duties of such office, with mileage to be computed at the rate provided in section 23-1112 for county officers and employees, and fees on a per diem basis which shall not exceed thirty-five dollars a day for each meeting attended on the specific call of the chairman chairperson; Provided, that they shall not be paid for more than three meetings per month. The commission shall fix the compensation of the secretary-treasurer in its discretion, but if the secretary-treasurer is a member of the commission, he or she shall receive compensation as secretary-treasurer and shall not receive his or her per diem compensation for attending meetings.

Sec. 59. That section 39-1106, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

39-1106. The members of the State Highway Commission shall meet in January of each year and shall elect a chairman chairperson of the commission from their members. Each member of the commission shall be paid the sum of twenty dollars per day while actually engaged in the business of the commission, but not in excess of twenty-four hundred dollars per annum. The members of the commission shall be paid their mileage, and their expenses while away from home attending to the business of the commission as provided in sections 84-306.01 to 84-306.05 for state employees.

Sec. 60. That section 39-1643, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

39-1643. The board on passing the resolution creating the district shall appoint an advisory committee of not less than three persons residing in the district to advise with the board on all matters affecting the road improvement in the district, financing the cost thereof, and the levy of special assessments. The board may from time to time replace any person who resigns or refuses to act or appoint additional members to the advisory committee. The members of the committee shall receive no compensation for their services, but may be reimbursed for expenses incurred by them in performing

their duties, with reimbursement for mileage to be computed at the rate provided in section 23-1114 for county officers and employees, and the amount thereof shall be included in the cost of the improvement.

Sec. 61. That section 39-2106, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

39-2106. To assist in developing the functional classification system, there is hereby established the Board of Public Roads Classifications and Standards which shall consist of eleven members to be appointed by the Governor with the approval of the Legislature. Of the members of such board, two shall be representatives of the Department of Roads, three shall be representatives of the counties, one of whom shall be a licensed county highway superintendent in good standing and two of whom shall be county board members, three shall be representatives of the municipalities who shall be either public works directors or licensed city street superintendents in good standing, and three shall be lay citizens who shall represent the three congressional districts of the state. The county members on the board shall represent the various classes of counties, as defined in section 23-1114.01, in the following manner: One shall be a representative from either a Class 1 or Class 2 county; one shall be a representative from either a Class 3 or Class 4 county; and one shall be a representative from either a Class 5, Class 6, or Class 7 county. The municipal members of the board shall represent municipalities of the following sizes by population: One shall be a representative from a municipality of less than two thousand five hundred population; one shall be a representative from a municipality of two thousand five hundred to fifty thousand population; and one shall be a representative from a municipality of over fifty thousand population. In making such appointments, the Governor shall consult with the Director-State Engineer and with the appropriate county and municipal officials and may consult with organizations representing such officials or representing counties or municipalities as may be appropriate. At the expiration of existing term, one member from the county representatives, the municipal representatives and the lay citizens shall be appointed for a term of two years; two members from the county representatives, the municipal representatives and the lay citizens shall be appointed for terms of four years. One representative from the Department of Roads shall be appointed for a two-year term and the other representative shall be appointed for a four-year term. Thereafter, all such appointments shall be for terms of four years each.

Members of such board shall receive no compensation for their services as such, except that the lay members shall receive the same compensation as members of the State Highway Commission, and all members shall be reimbursed for their actual and necessary expenses incurred in the performance of their official duties as provided in sections 84-306.01 to 84-306.05 for state employees. All expenses of such board shall be paid by the Department of Roads.

Sec. 62. That section 39-2202, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

39-2202. There is hereby created the Nebraska Highway Bond Commission, the membership of which shall be the Governor, the Director-State Engineer, and the chairman chairperson of the State Highway Commission and three members to be appointed by the Governor, one from each of the three congressional districts, with the approval of the Legislature. None of the members appointed by the Governor shall be an elected or appointed employee or official of any governmental body. The Governor shall be the chairman chairperson and the Director-State Engineer shall be the secretary of the commission. For each day or part thereof that they render service as members of the commission, the chairman chairperson of the State Highway Commission and the three members appointed by the Governor shall be compensated at the rate of twenty dollars per day. The other members of the commission shall be entitled to no compensation for their services as members. All members of the commission shall be entitled to reimbursement for all necessary expenses incurred in connection with the performance of their duties as members as provided in sections 84-306.01 to 84-306.05 for state employees. Such compensation and expenses shall be paid out of the appropriation for the State Highway Commission. The commission may appoint such employees as may be required for the performance of its duties and retain private consultants on a contract basis or otherwise to render professional or technical services.

Sec. 63. That section 39-2304, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

39-2304. The Board of Examiners for County Highway and City Street Superintendents shall consist of seven members to be appointed by the Governor, four of whom shall be county representatives, and three of whom shall be municipal representatives. Of the county representatives, no more than one member shall be

appointed from each class of county as defined in section 23-1114.01, and of the municipal representatives, no more than one shall be appointed from each congressional district, one of whom shall be a representative of a city of the metropolitan or primary class, one of whom shall be a representative of a city of the first class, and one of whom shall be a representative of a city of the second class or a village. In making such appointments, the Governor may give consideration to a list of county highway engineers, highway superintendents, and county surveyors submitted by the Nebraska Association of County Officials, and to a list of city street superintendents or commissioners and public works directors submitted by the League of Nebraska Municipalities. Two county representatives shall initially be appointed for terms of two years each, and two county representatives shall initially be appointed for terms of four years each. One municipal representative shall initially be appointed for a term of two years, and two municipal representatives shall initially be appointed for terms of four years each. Thereafter, all such appointments shall be for terms of four years each. Members of the board shall be reimbursed for their actual and necessary expenses incurred while engaged in the performance of their official duties as provided in sections 84-306.01 to 84-306.05 for state employees.

Sec. 64. That section 43-601, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

43-601. The State Board of Education shall, at the expense of the State of Nebraska, make such provisions as it shall deem expedient for the care and education of children from birth until completion of a suitable program of education but not to exceed twenty-one years of age, who are both deaf and visually handicapped or otherwise multihandicapped as defined in section 43-629 and for whom there is no other provision in Nebraska law for education and training. The board shall, upon the written request of the parents and guardians, send such children, as it considers proper subjects for education, to any institution in the United States of America selected by the board, now or hereafter recognized and accepted as maintaining an accredited or approved school or department to give instruction to such children; and upon like request, and with like approval, the board shall continue for a longer term instruction of such meritorious pupils recommended by the Commissioner of Education, principal or chief officer of the school which they attend. No such pupil shall be withdrawn from such school except with the consent of the commissioner or of the State Board of Education, in the event such

pupils shall be sent to such a school; and the expenses of the instruction and support of such pupils therein, actually rendered or furnished, including their necessary traveling expenses, whether daily or otherwise, ~~but not exceeding at the rate provided in sections 84-306.01 to 84-306.05 for state employees, ordinary and reasonable compensation therefor,~~ shall be paid by the State of Nebraska.

Sec. 65. That section 43-607, Revised Statutes Supplement, 1980, be amended to read as follows:

43-607. The board of education shall furnish one of the following types of services to the handicapped children who are residents of the school district:

(1) Provide for the transportation expenses for those handicapped children who are forced to leave the school district temporarily because of lack of educational services; Provided, that a parent or guardian transporting such child shall be paid for each day of attendance at the rate of ~~seventeen cents per mile provided in section 84-306.03 for state employees~~ for each actual mile or fraction thereof traveled between the place of residence and the program of attendance, and when any parent or guardian transports more than one handicapped child in his or her custody or control enrolled in programs at the same location, the amount of payments to such parent or guardian shall be based upon the transportation of one child. No transportation payments shall be made to a parent or guardian for mileage not actually traveled by such parent or guardian;

(2) Provide for the transportation expenses within the school district of any handicapped child who is enrolled in a special educational program of the district when either (a) the child is required to attend a facility other than what would be the normal school of attendance facility of the child to receive appropriate special educational services, or (b) the nature of the child's handicapping condition is such that special transportation is required; Provided, that a parent or guardian transporting such child shall be paid for each day of attendance at the rate provided in section 84-306.03 for state employees of seventeen cents per mile for each actual mile or fraction thereof traveled between the place of residence and the program of attendance, and when any parent or guardian transports more than one child in his or her custody or control enrolled in programs at the same location, the amount of payments to such parent or guardian shall be based upon the transportation of one child. No transportation payments shall be made to a parent or guardian for mileage not

actually traveled by such parent or guardian;

(3) Provide visiting teachers for the homebound handicapped child, such teachers to be certified and qualified in the same manner as required for other teachers in Nebraska;

(4) Provide correspondence instruction approved by the Commissioner of Education; or

(5) Provide any other method of instruction approved by the Commissioner of Education.

Sec. 66. That section 43-631, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

43-631. The administration of the medical center shall appoint a staff to supervise and coordinate the program established by sections 43-629 to 43-632. This staff shall consist of at least the following: (1) A clinical psychologist who has experience in counseling and working with handicapped children; (2) a pediatrician who is qualified and eligible in pediatrics with experience or special education or training in the treatment and care of mentally retarded and handicapped children; and (3) an educational services coordinator, who is trained and experienced in the education of handicapped children and the administration of appropriate programs for them. Expense of the program may include the employment of such other personnel and the purchase of such materials and equipment as are necessary to carry out the program, and the travel expenses of personnel, children and their parents, and the cost of residential care of children, with mileage to be computed at the rate allowed in section 84-306.03 for state employees. The expense of the program shall be paid by the State of Nebraska, but the parents or guardians of such multihandicapped children who are tested, treated, or cared for under this program, who are able wholly or in part to provide for their support and care, to the extent of their ability may be required to make payment therefor.

Sec. 67. That section 43-657, Revised Statutes Supplement, 1980, be amended to read as follows:

43-657. The council shall initially meet within ninety days of July 19, 1980, and no less than quarterly thereafter. Special meetings may be called by the chairperson. A quorum shall consist of seven members. The council shall at its first meeting adopt its rules of procedure and may adopt such by-laws and other rules and

regulations as it deems necessary. The members of the council shall not receive any compensation for their services, but they shall be reimbursed for their actual and necessary expenses incurred incident to travel and holding of meetings in connection with the work of the council as provided in sections 84-306.01 to 84-306.05 for state employees.

Sec. 68. That section 44-111, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

44-111. Every person shall be obliged to attend as a witness at the place specified in the subpoena, when subpoenaed, anywhere within the state. He or she shall be entitled to the same fees and mileage, if claimed, as a witness in the district court with mileage to be computed at the rate provided in section 84-306.03 for state employees, which fees, mileage, and actual expense, if any, necessarily incurred in securing the attendance of witnesses, and their testimony, shall be itemized and charged against, and be paid by, the company so being examined.

Sec. 69. That section 44-127.08, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

44-127.08. Every person so subpoenaed anywhere within the state shall be obliged to attend as a witness at the place specified in the subpoena. He or she shall be entitled to the same fees and mileage, if claimed, as a witness in the district court with mileage to be computed at the rate provided in section 84-306.03 for state employees, regardless of where he or she resides or was served in the state. The provisions of sections 44-109 and 44-110 shall apply to persons subpoenaed pursuant to the provisions of sections 44-127 to 44-127.12.

Sec. 70. That section 44-388, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

44-388. For the purpose of conducting the investigations provided for in section 44-387, the Department of Insurance shall have power, by appropriate process, to compel the attendance of witnesses, which witnesses shall be paid by the department from its operating funds for the witnesses' actual and reasonable expenses and the same fees and mileage as are paid witnesses in the district court with mileage to be computed at the rate provided in section 34-306.03 for

state employees, and said department shall have authority to examine and inspect all the books, papers, and records of any such surety or fidelity company for the purpose of gaining information to enable them to fix such maximum rates of premiums. The department shall be reimbursed for such fees, mileage, and expenses by the company being investigated.

Sec. 71. That section 44-2405, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

44-2405. (1) The board of directors of the association shall consist of seven persons serving terms as established in the plan of operation. The members of the board shall be selected by member insurers subject to the approval of the director. At least four members of the board shall represent domestic insurers. Vacancies on the board shall be filled for the remaining period of the term in the same manner as initial appointments. If no members are selected within sixty days after May 26, 1971, the director may appoint the initial members of the board of directors.

(2) Subject to the limitations in subsection (1) of this section, the director shall, in approving selections to the board, consider among other things whether all member insurers are fairly represented.

(3) Members of the board may be reimbursed from the assets of the association for expenses incurred by them as members of the board of directors as provided in sections 84-306.01 to 84-306.05 for state employees.

Sec. 72. That section 44-2706, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

44-2706. (1) The board of directors of the association shall consist of not less than five nor more than nine members serving terms as established in the plan of operation. The members of the board shall be selected by member insurers subject to the approval of the director. Vacancies on the board shall be filled for the remaining period of the term in the manner described in the plan of operation. To select the initial board of directors and initially organize the association, the director shall give notice to all member insurers of the time and place of the organizational meeting. In determining voting rights at the organizational meeting each member insurer shall be entitled to one vote in person or by proxy. If the board of directors is not selected within sixty days after notice of the

organizational meeting, the director may appoint the initial members.

(2) In approving selections or in appointing members to the board, the director shall consider whether all member insurers are fairly represented.

(3) Members of the board may be reimbursed from the assets of the association for expenses incurred by them as members of the board as provided in sections 84-306.01 to 84-306.05 for state employees but shall not otherwise be compensated by the association for their services.

Sec. 73. That section 44-2849, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

44-2849. (1) The term of office of each member of the commission shall be four years. In the event of a vacancy, the vacancy shall be filled by appointment in the same manner as the original members were appointed and the individuals so appointed shall serve for the balance of the original term. A vacancy shall be deemed to have occurred in the event of death, resignation, a disability materially affecting the ability of the member to participate as determined by a majority of the commission, or if a member fails to appear at three consecutive meetings of the commission. Any member of the commission shall be eligible for reappointment. The initial term of the members appointed by the Board of Examiners in Medicine and Surgery shall be for two years only and thereafter shall be for four years. The terms of all other members shall be four years beginning on July 10, 1976.

(2) The Commission on Medical Qualifications shall select a chairman chairperson and a vice-chairman vice-chairperson from its own members and a secretary who may or may not be a member of the commission and who shall keep minutes of all meetings of the commission.

(3) Members of the Commission on Medical Qualifications shall serve without compensation, but shall be reimbursed for all reasonable expenses incurred by them in connection with their duties as members of the commission as provided in sections 84-306.01 to 84-306.05 for state employees.

Sec. 74. That section 44-3005, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

44-3005. (1) Following the action by the director pursuant to section 44-3004, the Governor shall appoint, with the advice and consent of the Legislature, a board of directors to manage the affairs of the authority under sections 44-3001 to 44-3019.

(2) The board of directors shall consist of seven members who shall be appointed for a term of two years. Each member of the board shall be a resident of the state. The members of the board shall be paid a per diem of thirty dollars for each day actually and necessarily engaged in the performance of their duties as members of such board and shall receive reimbursement for actual and necessary expenses ~~on the same basis and subject to the same conditions as full-time~~ as provided in sections 84-306.01 to 84-306.05 for state employees.

(3) The Governor shall appoint one member of the board to serve as ~~chairman~~ chairperson. The term of the ~~chairman~~ chairperson shall be for two years.

(4) The board may appoint or remove a manager of the authority and fix his or her compensation.

(5) The manager shall hire such additional personnel as shall be approved by the board pursuant to sections 44-3001 to 44-3019.

Sec. 75. That section 46-154, Revised Statutes Supplement, 1980, be amended to read as follows:

46-154. The board of directors shall provide a payment for each director of not to exceed fifty dollars per day for each day that a director attends meetings of the board or is engaged in matters concerning the district, but not to exceed two thousand dollars per annum. Each director shall also be paid necessary traveling expenses actually incurred while engaged in the performance of his or her duties, including mileage at a the rate not to exceed that paid state employees pursuant to provided in section 84-306.03 for state employees. The board shall fix the compensation to be paid to the other officers named in sections 46-101 to 46-1,111, including the secretary, the assessor, and the treasurer to be paid out of the treasury of the district. The board may also employ a chief engineer, an attorney, and such other agents, assistants, and employees as may be necessary and provide for their compensation.

Sec. 76. That section 46-538, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

46-538. Each member of the board shall receive as compensation for his or her service such sum as shall be ordered by the department not in excess of the sum of five hundred dollars per annum, payable monthly, and necessary traveling expenses actually expended while engaged in the performance of his or her duties as provided in sections 84-306.01 to 84-306.05 for state employees.

Sec. 77. That section 46-634.01, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

46-634.01. (1) Within ninety days after January 1, 1962, all ground water conservation districts, created under sections 46-614 to 46-634 and in existence on such date, shall be dissolved and the assets distributed as provided in section 46-633.

(2) On the date the dissolution of any ground water conservation district becomes effective, the board of directors of such district shall become advisory members of the board of directors of the natural resources district in which the ground water conservation district lies. If the ground water conservation district is included in two or more natural resources districts, the members of the board of directors of such ground water conservation district may serve on the most convenient natural resources district board.

(3) The members of the board of directors of the dissolved ground water conservation district, serving on the respective natural resources district board, shall serve in an advisory capacity only, offering assistance to the board in the areas of water conservation, water usage, drainage, flood prevention and control, erosion and pollution prevention and control, and other programs with which the ground water conservation district was concerned.

(4) Such advisory members shall have no vote in the affairs of the natural resources district, and shall receive no compensation for such membership, but shall be entitled to reimbursement for actual and necessary expenses incurred in attending meetings as provided in sections 84-306.01 to 84-306.05 for state employees.

Sec. 78. That section 46-901, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

46-901. Whenever a river basin commission is formed for streams partly in or bordering on this state

and this state is authorized membership on such commission, the Governor shall appoint, subject to confirmation by the Legislature, one or more representatives of this state to serve on such commission. Such appointment shall be made from a list of two or more nominees presented to the Governor by the Nebraska Natural Resources Commission. Representatives so appointed shall receive no compensation for their services as such but shall be reimbursed for their actual and necessary expenses incurred in the performance of their duties as provided in sections 84-306.01 to 84-306.05 for state employees. They shall serve at the pleasure of the Governor. They shall maintain liaison between the river basin commission and the Nebraska Natural Resources Commission.

Sec. 79. That section 48-155.01, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

48-155.01. When any judge of the Nebraska Workmen's Compensation Court shall be disqualified from acting in any case or matter before him or her, is temporarily absent from the state, or shall be temporarily unable to act in any cause or matter before him or her because of sickness or other emergency, the Governor may appoint a competent and disinterested person to act in place of such judge in such case or other matter, during such disqualification, absence, or emergency. The person so appointed shall possess the same powers, and be subject to the duties, restrictions, and liabilities therein as are prescribed by law respecting judges of such court; Provided, that the Governor may, in his or her discretion, by a single order, appoint some competent and disinterested person to act as acting judge in the place of any judge of such court during all such disqualifications, absences, and emergencies. Such appointment shall be for a period of two years from July 1 of each odd-numbered year. The acting judge shall be paid a salary per diem ~~and expenses~~ at the same rate and in the same manner as the regularly appointed judges and expenses as provided in sections 84-306.01 to 84-306.05 for state employees, which shall be paid by the court in the same manner as other court expenses except that such acting judge shall not pay into the Nebraska Retirement Fund for Judges nor be eligible for retirement benefits under sections 24-701 to 24-714. The acting judge shall be subject to call by the presiding judge.

Sec. 80. That section 48-159, Revised Statutes Supplement, 1980, be amended to read as follows:

48-159. (1) As soon as the same may be legally paid under the Constitution of Nebraska, each judge of the Nebraska Workmen's Compensation Court shall receive an annual salary of thirty-seven thousand fifty dollars, payable in the same manner as the salaries of other state officers are paid. On January 1, 1981, the salary shall be increased to an amount equal to six per cent over the base salary. For the purposes of this section base salary shall mean the amount derived by increasing thirty-six thousand nine hundred fifty dollars by six per cent. The clerk and all other assistants and employees of the court shall receive such salaries as the court shall determine, but not to exceed the amount of the appropriation made by the Legislature for such purpose. Such salaries shall be payable in the same manner as the salaries of other state employees are paid. Such assistants and employees shall not receive any other salary or pay for their services from any other source.

(2) In addition to the salaries, as provided by subsection (1) of this section, the judges of the court, the clerk, and other assistants and employees of the court shall be entitled, while traveling on the business of the court, to be reimbursed by the state for their necessary traveling expenses, consisting of transportation, subsistence, lodging, and such other items of expense as are necessary, to be paid in the same manner as other claims against the state as provided in sections 84-306.01 to 84-306.05 for state employees.

Sec. 81. That section 48-610, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

48-610. There is hereby created a state advisory council of six members to be appointed by the Commissioner of Labor. Two of the members shall be representatives of employers, two shall be representatives of employees, and two shall have no interest either as employers or employees and shall be representatives of the public. When the term of a member shall expire, the commissioner shall appoint for the term of four years a successor from the same group as the member whose term has expired. During a temporary absence or disability of a member, the commissioner may appoint an alternate representative of the group from which such regular member was appointed to serve during such absence or disability. In the event of a vacancy the commissioner shall appoint a successor to serve for the unexpired term. The council shall meet on the call of the commissioner and shall advise him or her in carrying out the purposes of the Employment Security Law. The members of such council shall be paid a fee, as

determined by the commissioner, for each day of active service on such council plus necessary travel and other expenses as provided in sections 84-306.01 to 84-306.05 for state employees. The commissioner may appoint local or industry advisory councils composed in each case of an equal number of employer, employee, and public representatives to assist him or her. Such councils shall serve without pay but shall be reimbursed for any necessary expenses as provided in sections 84-306.01 to 84-306.05 for state employees.

Sec. 82. That section 48-804.02, Revised Statutes Supplement, 1980, be amended to read as follows:

48-804.02. The clerk and all other assistants and employees of the commission shall receive such salaries as the commission may with the approval of the Governor determine, but not to exceed the amount of the appropriation made for such purpose. Such salaries shall be payable in the same manner as the salaries of other state employees. The clerk and other assistants and employees of the commission shall be entitled, while traveling on the business of the commission, to be reimbursed by the state for necessary traveling expenses as provided in sections 84-306.01 to 84-306.05 for state employees.

Sec. 83. That section 48-806, Revised Statutes Supplement, 1980, be amended to read as follows:

48-806. As soon as such compensation may be legally paid under the Constitution of the State of Nebraska, the compensation of judges of the Commission of Industrial Relations shall be one hundred fifty dollars per day for each day's time actually engaged in the performance of the duties of their office. Each judge shall also be paid his or her necessary traveling expenses incurred while away from his or her place of residence upon business of the commission in accordance with sections 84-306.01 to ~~84-306.09~~ 84-306.05.

Sec. 84. That section 48-1116, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

48-1116. There is hereby established an Equal Opportunity Commission to consist of seven members to be appointed by the Governor. Terms of members shall be three years. As the terms of the members expire, the Governor shall appoint or reappoint the members of the commission for a term of three years to succeed the members whose terms expire. The commission shall elect one member to serve as chairperson of the commission.

Four members of the commission shall constitute a quorum for the purpose of conducting the business thereof. Any action of the commission shall require at least four votes. A vacancy in the commission shall not impair the right of the remaining members to exercise all the powers of the commission.

Members of the commission shall receive forty dollars per day as compensation for their services and shall be reimbursed for their expenses actually and necessarily incurred in the performance of their duties as provided in sections 84-306.01 to 84-306.05 for state employees. Reimbursement shall be for not more than two regular meetings per month and not more than three training sessions for any one fiscal year. Any member of the commission may be removed by the Governor for inefficiency, neglect of duty, misconduct, or malfeasance in office, after being given a written statement of the charges and an opportunity to be heard thereon.

The commission shall establish and maintain its principal office in the city of Lincoln and such other offices within the state as it may deem necessary. The commission may meet and function at any place within the state. The commission shall appoint an executive director who shall be directly responsible to the commission. The executive director may appoint such assistants, clerks, agents, and other employees as such executive director may deem necessary, fix their compensation within the limitations provided by law, and prescribe duties of such employees. The executive director may appoint additional staff as the commission deems necessary.

The Attorney General shall represent and appear for the commission in all actions and proceedings involving any question under the provisions of sections 48-1101 to 48-1125 and sections 20-105 to 20-119, 20-122, and 20-123, and shall aid in any investigation or hearing had under the provisions of sections 48-1101 to 48-1125 and sections 20-105 to 20-119, 20-122, and 20-123. The commission shall have an official seal which shall be judicially noticed.

Sec. 85. That section 49-230, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

49-230. The members of the constitutional convention shall each receive twelve hundred dollars and the same mileage as ~~members of the Legislature~~ receive authorized in section 84-306.03 for state employees.

Sec. 86. That section 49-233, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

49-233. The members of the preliminary survey committee shall be paid their travel expenses and actual expenses for food and lodging while they are away from home and are engaged in the duties provided for by section 49-232 as provided in sections 84-306.01 to 84-306.05 for state employees.

Sec. 87. That section 49-905, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

49-905. There may be appropriated a sum sufficient to reimburse appointed members of the Commission on Uniform State Laws for their necessary expenses in performing the duties of their offices as provided in sections 84-306.01 to 84-306.05 for state employees, to defray the cost of printing the commission's reports, and to make a contribution for the said purposes set forth herein, on behalf of this state, to the National Conference of Commissioners on Uniform State Laws.

Sec. 88. That section 49-14,120, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

49-14,120. The Governor and the Secretary of State shall receive no compensation for their services as commission members other than any salary allowed them by law, but shall be reimbursed for their actual and necessary expenses. The appointed members shall be paid a per diem of fifty dollars for each day actually and necessarily engaged in the performance of their duties as members of such commission in addition to such expense allowance. Reimbursement for expenses shall be ~~on the same basis and subject to the same conditions as for full-time~~ as provided in sections 84-306.01 to 84-306.05 for state employees.

Sec. 89. That section 50-408, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

50-408. Each witness who appears before the council, or any committee thereof, by its order, other than a state officer or employee, shall receive for his or her attendance the fees ~~and mileage~~ provided for witnesses in civil cases in courts of record and mileage as provided in section 84-306.03 for state employees,

which shall be audited and paid upon the presentation of proper vouchers sworn to by such witness and approved by the secretary and ~~chairman~~ chairperson of the council.

Sec. 90. That section 50-415, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

50-415. The members of the council shall be compensated for actual expenses incurred while attending sessions of the council and the members of any committee of the council shall be compensated for actual expenses incurred while on business of the committee as provided in sections 84-306.01 to 84-306.05 for state employees.

Sec. 91. That section 51-313, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

51-313. The salary of each of the county librarians shall be paid by each of such counties in equal monthly installments, at the same time and in the same manner and out of the same fund as the salaries of the other county officers are paid. The county or regional librarian and his or her assistant shall be allowed actual and necessary traveling expenses incurred on the business of the office, including mileage at the rate provided in section 23-1112 for county officers and employees. ~~fixed-by-law-for-members-of-the-county-board.~~

Sec. 92. That section 51-314, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

51-314. The county or regional libraries of the state shall be under the general supervision of the director of the Nebraska Library Commission, who shall from time to time, either personally or by one of his or her assistants, visit the county or regional libraries and inquire into their condition. The actual and necessary expenses of such visits shall be paid out of the Nebraska Library Commission Fund on the same basis as provided in sections 84-306.01 to 84-306.05 for state employees. The director of the Nebraska Library Commission may call a convention of county or regional librarians, to assemble at such time and place as he or she shall deem most convenient, for the discussion of questions pertaining to the supervision and administration of the county or regional libraries as shall properly be brought before it. It is hereby made the duty of all the county or regional librarians to attend and take part in the proceedings of such convention. The actual and necessary expenses of the

county or regional librarians attending the convention shall be paid out of the county or regional library fund with reimbursement for mileage to be made at the rate provided in section 23-1112 for county officers and employees.

Sec. 93. That section 51-402, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

51-402. The members of the Nebraska Library Commission shall serve without pay. They shall receive remuneration for traveling and actual expenses incurred while engaged in the business of the commission as provided in sections 84-306.01 to 84-306.05 for state employees. These expenses shall be paid out of the funds of the Nebraska Library Commission.

Sec. 94. That section 53-113, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

53-113. The commissioners, the secretary, all clerks, inspectors, and other employees shall be reimbursed for all actual and necessary traveling expenses and disbursements incurred or made by them in the discharge of their official duties as provided in sections 84-306.01 to 84-306.05 for state employees. The commission may also incur necessary expenses for office furniture and other incidental expenses. No commissioner, no appointee or employee of the commission, shall claim or be allowed mileage or other traveling expenses unless the provisions of section sections 84-306.01 to 84-306.05 are strictly complied with.

Sec. 95. That section 54-1169, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

54-1169. The board may, upon its own motion, whenever it has reason to believe the provisions of this act have been violated, or upon verified complaint of any person in writing, investigate the actions of any market license holder, and if it finds probable cause to do so, shall file a complaint against the market license holder which shall be set down for hearing before the board upon fifteen days' notice served upon such market license holder either by personal service upon him or her or by registered or certified mail or telegram prior to such hearing.

The director shall have the power to administer oaths, certify to all official acts and shall have the

power to subpoena and bring before the board any person in this state as a witness, to compel the producing of books and papers and to take the testimony of any person on deposition in the same manner as is prescribed by law in the procedure before the courts of this state in civil cases. Processes issued by the director shall extend to all parts of the state and may be served by any person authorized to serve processes. Each witness who shall appear by the order of the director at any hearing before the board shall receive for his such attendance the same fees ~~and mileage~~ allowed by law to witnesses in civil cases appearing in the district court and mileage at the same rate provided in section 84-306.03 for state employees, which amount shall be paid by the party at whose request such witness is subpoenaed. When any witness has not been required to attend at the request of any party, but has been subpoenaed by the director, his or her fees and mileage shall be paid by the director in the same manner as other expenses of the board are paid.

All powers of the director as provided in this section shall likewise be applicable to hearings held on applications for the issuance of a market license.

Formal finding by the board after due hearing that any market license holder: (1) Has ceased to conduct a livestock auction market business; (2) has been guilty of fraud or misrepresentation as to the titles, charges, number, brands, weights, proceeds of sale or ownership of livestock; (3) has violated any of the provisions of this act; or (4) has violated any of the rules or regulations adopted and published by the board, shall be sufficient cause for the suspension or revocation of the market license of the offending livestock auction market operator.

Sec. 96. That section 54-1914, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

54-1914. The director shall have the following additional powers:

(1) Whenever he or she has reason to believe that any licensee may be in possession of information relevant to an investigation by him or her of suspected violations of the provisions of sections 54-1901 to 54-1915 or regulations promulgated thereunder, he the director may require such person to file with him or her in such form as he or she may prescribe special reports or answers in writing to specific questions, furnishing such information. Such reports and answers shall be made under oath and shall be filed with the director within

such reasonable period as the director may prescribe, unless additional time is granted in any case upon prompt application for same.

(2) To have access to all establishments for the purposes of examination or inspection or both at all times and the right to copy any documentary evidence of any person being investigated or proceeded against, and may require by subpoena the attendance and testimony of witnesses and the production of all documentary evidence of any person or the taking of a deposition relating to any matter under his or her investigation. The director may sign subpoenas and may administer oaths and affirmations, examine witnesses, and receive evidence in accordance with the provisions of section 54-1905. In case of disobedience to a subpoena, the director may invoke the aid of the district court of Lancaster County in requiring the attendance and testimony of witnesses and the production of documentary evidence. If any person fails to obey an order of the court, he or she may be punished by the court as for contempt thereof. Witnesses summoned or required to give depositions shall be paid the same fees and mileage that are paid witnesses in the district courts of this state and mileage at the same rate provided in section 84-306.03 for state employees.

No person shall be excused from attending and testifying or from producing books, papers, schedules of charges, contracts, agreements, or other documentary evidence before the director or in obedience to the subpoena of the director, whether such subpoena be signed or issued by him the director or his or her delegate, or in any cause or proceeding, criminal or otherwise, based upon or growing out of any alleged violation of sections 54-1901 to 54-1915, or of any amendments thereto, on the ground or for the reason that the testimony or evidence, documentary or otherwise, required of him or her may tend to incriminate him or her or subject him or her to a penalty or forfeiture; but no individual shall be prosecuted or subjected to a penalty or forfeiture for or on account of any transaction, matter or thing concerning which he or she is compelled, after having claimed his or her privilege against self-incrimination, to testify or produce evidence, documentary or otherwise, except that any individual so testifying shall not be exempt from prosecution and punishment for perjury committed in so testifying.

Sec. 97. That section 55-428, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

55-428. (1) Any person not subject to sections 55-401 to 55-480 who:

(a) Has been duly subpoenaed to appear as a witness before a court-martial, military commission, court of inquiry, or any other military court or board, or before any military or civil officer designated to take a deposition to be read in evidence before such a court, commission, or board;

(b) Has been duly paid or tendered the fees and mileage of a witness at the rates allowed to witnesses attending the district courts of the State of Nebraska and mileage at the rate provided in section 84-306.03 for state employees; and

(c) Willfully neglects or refuses to appear, or refuses to qualify as a witness or to testify or to produce any evidence which that person may have been legally subpoenaed to produce, is guilty of a Class II misdemeanor.

(2) The Attorney General of Nebraska, upon the certification of the facts to him or her by the military court, commission, or board shall file an information against and prosecute any person violating this section.

(3) The fees and mileage of witnesses shall be advanced or paid out of the appropriations for the compensation of witnesses.

Sec. 98. That section 55-442, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

55-442. Members of the Court of Military Review shall be paid the sum of fifty dollars per day when sitting and in addition shall be reimbursed for all expenses incurred as provided in sections 84-306.01 to 84-306.05 for state employees.

Sec. 99. That section 57-904, Revised Statutes Supplement, 1980, be amended to read as follows:

57-904. There is hereby established the Nebraska Oil and Gas Conservation Commission. The commission shall consist of three members to be appointed by the Governor. The director of the state geological survey shall serve the commission in the capacity as its technical advisor, but with no power to vote. Any two commissioners shall constitute a quorum for all purposes. At least one member of the commission shall have had experience in the production of oil or gas and shall have

resided in the State of Nebraska for at least one year. Each of the other members of the commission shall have resided in the State of Nebraska for at least three years. Initially, two of said members shall be appointed for a term of two years each; and one shall be appointed for a term of four years. At the expiration of the initial terms all members thereafter appointed shall serve for a term of four years. The Governor may at any time remove any appointed member of the commission for cause, and by appointment, with the approval of the Legislature, shall fill any vacancy on the commission. The members of the commission shall receive as compensation for their services the sum of fifty dollars per day for each day actually devoted to the business of the commission; provided, that they shall not receive a sum in any one year in excess of two thousand dollars each. In addition, each member of the commission shall be reimbursed for his or her actual and necessary traveling and other expenses incurred in connection with the carrying out of his or her duties as provided in sections 84-306.01 to 84-306.05 for state employees.

Sec. 100. That section 60-406.06, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

60-406.06. The Director of Motor Vehicles shall adopt such rules and regulations as may be necessary to carry out the provisions of this act. The director shall establish an advisory committee consisting of three county treasurers and two ~~laymen~~ laymembers holding no public office in this state. The three county treasurers shall be elected by mail vote of the county treasurers of the state and the two ~~laymen~~ laymembers shall be appointed by the Director of Motor Vehicles. It shall be the duty of such committee to make an annual review of the rules and regulations adopted under this section and to report its findings and recommendations to the director no later than December 31 of each year. The committee shall be appointed and furnished copies of the initial rules and regulations on or before October 1, 1977, and shall report its findings and recommendations thereon no later than December 1, 1977. The ~~chairman~~ chairperson of the committee shall be named by the director at the time of selection. The committee shall meet upon call of the ~~chairman~~ chairperson. Members of the committee shall serve at the pleasure of the director. Members of the committee shall receive no compensation for their services but shall be reimbursed for their necessary expenses while engaged in the performance of their duties as provided in sections 84-306.01 to 84-306.05 for state employees.

Sec. 101. That section 60-1414, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

60-1414. In the preparation and conduct of such hearings, the members of the board and executive secretary shall have the power to require the attendance and testimony of any witness and the production of any papers or documents in order to assure a fair trial. They may sign and issue subpoenas therefor and administer oaths and examine witnesses, and take any evidence they deem pertinent to the determination of the charges. Any witnesses so subpoenaed shall be entitled to the same fees and mileage as prescribed by law in judicial proceedings in the district court of this state in a civil action and mileage at the same rate provided in section 84-306.03 for state employees. The payment of such fees and mileage must be out of and kept within the limits of the funds provided for the administration of the board. The party against whom such charges may be filed shall have the right to obtain from the executive secretary a subpoena for any witnesses which he or she may desire at such hearing and depositions may be taken as in civil court cases in the district court. Any information obtained from the books and records of the person complained against may not be used against the person complained against as the basis for a criminal prosecution under the laws of this state.

Sec. 102. That section 66-470, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

66-470. All members of the Agricultural Products Industrial Utilization Committee shall be reimbursed for their expenses actually and necessarily incurred in the performance of their duties as provided in sections 84-306.01 to 84-306.05 for state employees. The members shall each receive fifteen dollars for each day while engaged in the performance of committee duties.

Sec. 103. That section 68-702.01, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

68-702.01. There is hereby created an advisory committee to the Department of Public Welfare. The committee shall consist of five members, who shall be appointed by the Governor, subject to confirmation by a majority of the members elected to the Legislature. One member shall be appointed for a term of one year, one member for a term of two years, one member for a term of three years, one member for a term of four years, and one

member for a similar term of four years. The Governor shall designate the expiration of the term of office of each member of the board first appointed. Thereafter, their successors shall serve for a term of four years. At least one member shall be appointed from each congressional district, and no more than three members may be from the same political party. In case of vacancy in the office of any member, his a successor shall be appointed for the unexpired term. Members of the committee shall receive twenty dollars per day for each day engaged in the duties of the committee, and shall be reimbursed for their actual and necessary expenses incurred in the performance of their official duties, as provided in sections 84-306.01 to 84-306.05 for state employees, but not more than five thousand dollars shall be spent by the committee for compensation of the committee and its activities per year. No employee of the state shall be eligible to be appointed on the committee.

Sec. 104. That section 68-1105, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

68-1105. The members of the Nebraska Commission on Aging, and noncommission members serving on committees, shall receive no compensation for their services other than reimbursement for actual and necessary expenses as provided in sections 84-306.01 to 84-306.05 for on--the--same--basis--as--full-time state employees. Commission expenses and any office expenses shall be paid from funds made available to the commission by the Legislature.

Sec. 105. That section 68-1305, Revised Statutes Supplement, 1980, be amended to read as follows:

68-1305. The members of the committee shall receive no compensation for their services as such other than the salary allowed them by law but shall be reimbursed for their expenses as provided in section sections 84-306.01, to 84-306.05 for state employees.

Sec. 106. That section 70-719, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

70-719. The directors, other than those named in the certificate of incorporation to serve until the first annual meeting of members, shall be elected annually, or as otherwise provided in the by-laws, by the members. The directors shall be members of the corporation and shall be entitled to such compensation and reimbursement

for expenses actually and necessarily incurred by them as ~~may be provided in the by-laws~~ provided in sections 84-306.01 to 84-306.05 for state employees. The by-laws may provide for the election of alternate directors, who shall be elected and serve in the same manner as members elected to the board of directors. Such alternate directors shall serve in the event of the absence, disability, disqualification, or death of an elected director.

Sec. 107. That section 70-1003, Revised Statutes Supplement, 1980, be amended to read as follows:

70-1003. There is hereby established an independent board to be known as the Nebraska Power Review Board to consist of five members, one of whom shall be an engineer, one an attorney, one an accountant, and two lay persons. No person who is or who has within four years preceding his or her appointment been either a director, officer, or employee of any electric utility or an elective state officer shall be eligible for membership on the board. Members of the board shall be appointed by the Governor subject to the approval of the Legislature. Members of the board first appointed shall be appointed within thirty days of May 16, 1963. Of the members initially appointed, two shall serve until January 1, 1965, two until January 1, 1966, and one until January 1, 1967. Upon expiration of such terms, the successors shall be appointed for terms of four years. No member of the board shall serve more than two consecutive terms. Any vacancy on the board arising other than from the expiration of a term shall be filled by appointment for the unexpired portion of the term, and any person appointed to fill a vacancy on the board shall be eligible for reappointment for two more consecutive terms. No more than three members of the board shall be registered members of that political party represented by the Governor; Provided, that this provision shall not be interpreted to create a vacancy on the board with respect to members presently serving and whose terms have not expired; and provided further, that this provision shall not become mandatory until July 1, 1973. Each member of the board shall receive sixty dollars per day for each day actually and necessarily engaged in the performance of his or her duties, but not to exceed six thousand dollars in any one year, and shall be reimbursed for his or her actual and necessary expenses while so engaged as provided in sections 84-306.01 to 84-306.05 for state employees. The board shall have jurisdiction as provided in sections 70-1001 to 70-1022.

The board shall meet promptly after its members have been appointed. They shall elect from their members

a chairperson and a vice-chairperson.

The board shall employ an executive director and may employ such other staff necessary to carry out the duties pursuant to sections 70-1001 to 70-1022. The executive director shall serve at the pleasure of the board and shall be solely responsible to the board. The executive director shall be responsible for the administrative operations of the board and shall perform such other duties as may be delegated or assigned to him or her by the board. The board may obtain the services of experts and consultants necessary to carry out the board's duties pursuant to sections 70-1001 to 70-1022.

Decisions of the board shall require the approval of a majority of the members of the board.

Sec. 108. That section 71-122, Revised Statutes Supplement, 1980, be amended to read as follows:

71-122. Each member of a board of examiners, except members of the Board of Examiners in Medicine and Surgery, and the Board of Examiners in Dentistry, shall, in addition to necessary traveling and hotel expenses, receive a per diem for each day actually engaged in the discharge of his or her duties, including compensation for the time spent in traveling to and from the place of conducting the examination, and, with the exception of board members who are lay persons, for a reasonable number of days for the preparation of examination questions and the reading of the answer papers, in addition to the time actually spent in conducting the examination; Provided, that traveling and hotel expenses shall ~~not exceed the amounts allowed by state administrative departments~~ be on the same basis as provided in sections 84-306.01 to 84-306.05 for state employees. The compensation per day in the several professions shall be as follows: (1) In osteopathy, chiropractic, embalming and funeral directing, and pharmacy, fifteen dollars; (2) in podiatry and physical therapy, ten dollars; (3) in audiology and speech pathology, twenty dollars; and (4) in optometry, thirty dollars; Provided, there shall not be paid for examiners' compensation and expenses a greater sum than is received in fees from the applicants taking the examination in any particular profession.

Sec. 109. That section 71-122.01, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

71-122.01. Each member of the Board of Examiners for Medicine and Surgery and the Board of Examiners in

Dentistry shall be reimbursed for his or her necessary travel and hotel expenses incurred in discharge of his or her duties including attending regional and national conferences relating to medical and dental licensure on the same basis as provided in sections 84-306.01 to 84-306.05 for state employees. In addition for each day actually spent in discharge of such duties, including a reasonable number of days for preparation of examination questions and reading the answer papers, each member of such boards shall be entitled to a per diem allowance at the rate of fifty dollars per day; Provided, there shall not be paid for compensation or expenses a greater sum than is received in fees from the applicants taking the examination in medicine and surgery and dentistry and from renewal fees allocated to each board. The secretary of the Board of Examiners in Dentistry shall be paid five hundred dollars per year in addition to any per diem.

Sec. 110. That section 71-124, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

71-124. Each board of examiners may select one or more of its members to attend the annual meeting of the national organization of state examining boards of such profession. Any member so selected shall receive his or her necessary traveling and hotel expenses in attending such meeting on the same basis as provided in sections 84-306.01 to 84-306.05 for state employees if there are funds available belonging to that board.

Sec. 111. That section 71-1,132.12, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

71-1,132.12. Each appointed member of the board shall receive twenty-five dollars per day for each day such person is actually engaged in the discharge of his or her official duties and ~~7--in addition to necessary~~ traveling, hotel, and other necessary expenses, as provided in sections 84-306.01 to 84-306.05 for state employees. ~~twenty-five dollars per day for each day such person is actually engaged in the discharge of his official duties.~~

Sec. 112. That section 71-1,156, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

71-1,156. (1) The State Board of Examiners in Veterinary Medicine and Surgery shall be appointed as provided in sections 71-111 to 71-121.

Each member of the board shall be paid fifteen dollars for each day or substantial portion thereof that he or she is engaged in the work of the board, in addition to such reimbursement for travel and other expenses as ~~is normally allowed to~~ provided in sections 84-306.01 to 84-306.05 for state employees.

Any member of the board may be removed by the Department of Health after a hearing by the department determines cause for removal.

(2) The board shall meet at least once each year at the time and place fixed by rule of the department. Other necessary meetings may be called by the chairman chairperson of the board by giving notice as may be required by rules and regulations. Except as may otherwise be provided, a majority of the board shall constitute a quorum. Meetings shall be open to the public except that the board may meet in closed session to prepare, approve, administer, or grade examinations, or to deliberate the qualification of an applicant for license or the disposition of a proceeding to discipline a licensed veterinarian.

(3) At its annual meeting the board shall organize by electing a chairman chairperson, vice-chairman vice-chairperson, and secretary. Officers of the board shall serve for terms of one year and until a successor is elected, without limitation on the number of terms an officer may serve. The chairman chairperson shall serve as presiding officer at board meetings.

(4) All revenue received under this act shall be accepted by the department and deposited with the State Treasurer, and by him or her credited to an account to be known as the Board of Examiners in Veterinary Medicine and Surgery Fund, except renewal fees as provided in section 71-1,162. All expenses of the board shall be paid from the fund by voucher signed by the director of the Bureau of Examining Boards, and no part of the state General Fund shall be expended for this purpose. This fund shall be a continuing account and shall not be subject to reversion to the state General Fund.

(5) The board shall have the power to:

(a) Examine and determine the qualifications and fitness of applicants for a license to practice veterinary medicine in this state;

(b) Direct the issuance, renewal, denial, suspension or revocation of licenses and temporary permits to practice veterinary medicine in this state and

to otherwise discipline licensed veterinarians consistent with the provisions of this act and the regulations adopted thereunder;

(c) Conduct investigations for the purpose of discovering violations of this act or grounds for disciplining licensed veterinarians;

(d) Hold hearings on all matters properly brought before the board, and in connection therewith to administer oaths, receive evidence, make the necessary determinations, and enter orders consistent with the findings. The board may require by subpoena the attendance and testimony of witnesses and the production of papers, records, or other documentary evidence and commission depositions. The board may designate one or more of its members to serve as its hearing officer;

(e) Appoint from its own membership one or more members to act as representatives of the board at any meeting within or without the state where such representation is deemed desirable;

(f) Bring proceedings in the courts for the enforcement of the provisions of this act, or any regulations made pursuant thereto;

(g) Adopt, amend, or repeal all rules necessary for its government and all regulations necessary to carry into effect the provisions of this act, including the establishment and publication of standards of professional conduct for the practice of veterinary medicine; and

(h) Employ such full-time or part-time clerical, professional, legal, or other personnel as are necessary to carry out the provisions of this act.

The powers enumerated in this section are granted for the purpose of enabling the board to effectively supervise the practice of veterinary medicine.

Sec. 113. That section 71-222, Revised Statutes Supplement, 1980, be amended to read as follows:

71-222. The Board of Barber Examiners shall annually elect a president and vice president, and the board shall then appoint a director who shall serve as secretary of the board. The board shall be furnished with suitable quarters in the State Capitol or elsewhere. It shall adopt and use a common seal for the authentication of its orders and records. The director shall keep a record of all proceedings of the board. A

majority of the board, in a meeting duly assembled, may perform and exercise all the duties and powers devolving upon the board. Each member of the board shall receive a compensation of forty dollars per diem, and shall be reimbursed for his or her necessary traveling expenses incurred in the discharge of his or her duties as provided in sections 84-306.01 to 84-306.05 for state employees, not to exceed two thousand dollars per annum, ~~and not to exceed the amounts allowed by state administrative departments.~~ Both salaries and expenses are to be paid only from the fund created by fees collected in the administration of sections 71-201 to 71-237; Provided, that no other funds or state money except as collected in the administration of such sections shall be drawn upon to pay the expense of administration. The board shall report each year to the Governor a full statement of its receipts and expenditures and also a full statement of its work during the year, together with such recommendations as it may deem expedient. The board may employ one field inspector and such other inspectors, clerks, and other assistants as it may deem necessary to carry out the provisions of sections 71-201 to 71-237 and prescribe their qualifications. No owner, agent, or employee of any barber school shall be eligible to membership on the board.

Sec. 114. That section 71-230, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

71-230. For the purpose of any investigation or hearing which the board is authorized to conduct, the board, or any member thereof, shall have power to administer oaths, take depositions, issue subpoenas, and compel the attendance of witnesses and the production of books, papers, documents, and other evidence. In case of the disobedience of any person in complying with any order of the board, or a subpoena issued by the board or any of its members, or on the refusal of a witness to testify to any matter regarding which he or she may be lawfully interrogated, the judge of any district court of the county in which the person resides, on application by any member of the board, shall compel obedience by attachment proceedings as for contempt, as in the case of the disobedience of a subpoena issued from such court or a refusal to testify therein. The sheriff of the county in which such person resides shall serve all orders and subpoenas herein referred to. Each witness who shall appear in obedience to a subpoena before the board or a member thereof, shall receive for his or her attendance the fees ~~and mileage~~ provided for witnesses in civil cases in the district court of this state and mileage at

the rate provided in section 84-306.03 for state employees, which shall be paid upon the presentation of proper vouchers, approved by any two members of the board. No witnesses subpoenaed at the instance of a party other than the board or one of its members, shall be entitled to compensation unless the board shall certify that his or her testimony was material to the matter investigated.

Sec. 115. That section 71-317, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

71-317. Each member of the board shall receive forty dollars per diem as compensation for his or her services while attending meetings of the board, and each member shall be reimbursed for his or her necessary traveling expenses incurred in the discharge of duty as provided in sections 84-306.01 to 84-306.05 for state employees. The compensation and expenses of the members shall be paid to them upon a voucher signed by the director and a warrant of the Director of Administrative Services.

Sec. 116. That section 71-331, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

71-331. The director shall have the power to refuse, revoke, and suspend licenses and certificates, provided for in sections 71-313 to 71-339, upon proof of violation of any of the rules and regulations promulgated by the department or upon proof of violation of any of sections 71-313 to 71-339. The director may refuse to grant or may revoke or suspend any certificate or license issued in any case where the holder of or applicant for such license or certificate shall have been guilty of fraud or dishonest conduct in the taking of the examination required by sections 71-313 to 71-339, or shall at any time have been convicted of a felony or of gross immorality, or shall be guilty of grossly unprofessional or dishonest conduct, or shall be addicted to the excessive use of intoxicating liquors or to the use of drugs to such an extent as to render him or her unfit to practice in any of the practices or occupations set forth in sections 71-313 to 71-339, or who shall advertise by means of knowingly false or deceptive statements, or who shall fail to display the license or certificate issued to him or her as provided for in sections 71-313 to 71-339. The director shall not, on any such grounds, refuse to issue or renew any license or certificate, nor shall he or she revoke or suspend any such license or certificate already issued, except after

a hearing, of which the applicant or licensee or the holder of the certificate affected shall be given at least twenty days' notice in writing, specifying the reason or reasons for denying the applicant a license or certificate of registration, or in case of a suspension or revocation, the offense or offenses of which the licensee or the holder of the certificate of registration is charged. Such notice may be served by mailing a copy thereof by either certified or registered mail to the last-known residence or business address of such applicant, licensee, or holder of a certificate. The hearing on such charges shall be at such time and place as the director may prescribe. The director shall have the power to administer oaths and shall have the power to require the attendance of witnesses and the production of such books, records, and papers as he or she may desire at any hearing on any matter which the department has authority to investigate, and for that purpose the director may issue a subpoena to compel the production of any books, records, or papers, directed to the sheriff of the county where such witness resides or may be found, which subpoena shall be served and returned in the same manner as a subpoena in a criminal case is served and returned. The fees ~~and~~ mileage of the sheriff and witnesses shall be the same as allowed in the district courts of this state. For witnesses mileage shall be allowed at the rate provided in section 84-306.03 for state employees. For the sheriff mileage shall be allowed at the rate provided in section 33-117. Such fees and mileage shall be paid in the same manner as other expenses of the board are paid.

Sec. 117. That section 71-1401, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

71-1401. There is hereby created a committee for crippled children, to be known as the Crippled Children's Committee, and composed of nine members appointed by the Governor, two of whom shall be duly licensed practicing physicians and surgeons in the State of Nebraska. The members of such committee shall serve without salary or compensation but they shall be reimbursed by the Department of Public Welfare for their actual and necessary expenses incurred in the performance of their official duties as provided in sections 84-306.01 to 84-306.05 for state employees. In every fourth year, dating from the year 1938, three members of the committee, and in every other year two members of the committee, shall be appointed, each of whom shall serve for the period of four years, or until his a successor has been appointed and has accepted. Vacancies shall be filled by appointment of the Governor for unexpired

terms.

Sec. 118. That section 71-1524, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

71-1524. (1) When it is determined by the governing body of any city or village by resolution as set forth in section 71-1523, in exercise of its discretion, that it is expedient to create a housing authority, the mayor of such city or ~~chairman~~ chairperson of the board of trustees shall appoint five persons who shall be residents of the area of operation of the authority and who shall constitute the housing authority and such persons shall be called the commissioners, or in case the governing body of a county adopts a resolution as provided for in section 71-1523, such body shall appoint five persons as commissioners of the authority created for the county; Provided, where any city of the first or second class or village has within its boundaries or within three miles thereof a military installation and is subject to the provisions of Public Law 475 enacted by the Eighty-first Congress of the United States, and the city or village desires to take same over as a housing project, the mayor and council of any such city, or ~~chairman~~ chairperson of the board of trustees of such village may be constituted ex officio commissioners of the authority. When commissioners are appointed or reappointed by a mayor of a city or a ~~chairman~~ chairperson of a board of trustees of a village, such appointments or reappointments shall be referred to the city council or board of trustees of such city or village for confirmation or denial by such governing body within five days and such governing body shall have thirty days after such referral to confirm or deny any such appointment or reappointment. In the event of the failure of such governing body to act on the appointment within thirty days, the appointment shall be deemed to have been confirmed.

(2) Except ~~where~~ when the mayor and city council of the city or the ~~chairman~~ chairperson and board of trustees of a village are constituted ex officio commissioners of the housing authority, the commissioners who are first appointed as provided in subsection (1) of this section shall be designated to serve for terms of one, two, three, four, and five years, respectively, from the date of their appointment, but thereafter commissioners shall be appointed as aforesaid for a term of office of five years, except that all vacancies shall be filled for the unexpired terms. Tenancy in a housing authority shall not preclude the appointment of any person to serve as a commissioner and may be a

requirement for one of the commissioners. A tenant commissioner may be appointed in the same manner as designated in this section, except that a tenant commissioner may be appointed from those nominated by the tenants. A tenant may be considered nominated when a petition signed by not less than twenty-five adult tenants of the housing authority or by not less than twenty-five per cent of the adult tenants of the housing authority, whichever number is less, is filed with the mayor of such city or the ~~chairman~~ chairperson of the board of trustees. If no tenant is nominated within ninety days of the date such position becomes vacant, or if all tenants nominated decline such appointment, such vacancy may be filled by appointment of a person who is not a tenant in the same manner as other commissioners.

(3) A commissioner of such a housing authority shall hold office until his or her successor has been appointed and has qualified; Provided, that if a commissioner shall move out of the area of operation of the authority or, if a tenant, shall cease to be a tenant of the authority, then in either event the term of such commissioner shall automatically terminate and a successor shall be appointed to fill such vacancy in the manner provided in this section. A certificate of the appointment or reappointment of any commissioner shall be filed with the clerk and such certificate shall be conclusive evidence of the due and proper appointment of such commissioner. A commissioner shall receive no compensation for his or her services but he or she shall be entitled to the necessary expenses, including travel expenses, incurred in the discharge of his or her duties with mileage to be computed at the rate provided in section 23-1112 for county officers and employees.

(4) The powers of each housing authority shall be vested in the commissioners thereof in office from time to time. Three commissioners shall constitute a quorum of the authority for the purpose of conducting its business and exercising its powers and for all other purposes. Action may be taken by the authority upon a vote of the majority of the commissioners present, unless in any case the by-laws of the authority shall require a larger number.

(5) The commissioners of an authority shall elect a ~~chairman~~ chairperson and ~~vice-chairman~~ vice-chairperson from among the commissioners and shall have power to employ an executive director who shall serve as ex officio secretary of the authority. The authority may also employ legal counsel, or in the case of a city of the first or second class and in the case of a village or county, it may call upon the chief law officer of such

city, village, or county, for such legal services as it may require. It may employ technical experts and such other officers, agents, and employees as it may require and shall determine their qualifications, duties, compensations, and terms of office. An authority may delegate to either one or more of its agents or employees such powers and duties as it may deem proper.

Sec. 119. That section 71-1565, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

71-1565. The Governor shall appoint seven citizens of the state with the approval of the Legislature to a manufactured housing advisory board. Board membership shall include one person from each of the fields of industrial management, architecture, professional engineering, organized labor, and municipal building inspection, one manufacturer, and one dealer. No business entity shall be represented by more than one member on the advisory board at any time. Of the initial members of the advisory board, three shall be appointed for a term of one year and four shall be appointed for a term of two years. Thereafter, all appointments shall be for a term of two years. All such members shall serve until their successors are appointed and qualified. No member shall serve more than two successive two-year terms. Vacancies in the membership of the advisory board for any cause shall be filled by appointment by the Governor for the unexpired term. Members shall receive no compensation but shall be reimbursed for actual and necessary expenses ~~on the same basis and subject to the same conditions as full-time~~ as provided in sections 84-306.01 to 84-306.05 for state employees. The department shall not propose, adopt, or approve any rule, regulation, or standard under sections 71-1555 to 71-1567 until it has first been approved by the advisory board, except as to standards relating to electrical systems.

Sec. 120. That section 71-1631, Revised Statutes Supplement, 1980, be amended to read as follows:

71-1631. The board of health of each county, district, or city-county health department organized under sections 71-1626 to 71-1636 shall, immediately after appointment, meet and organize by the election of one of its own members as president, one as vice president, and another as secretary and, either from its own members or otherwise, a treasurer and shall have the power herein set forth. It may elect such other officers, as it may deem necessary, and make and adopt such rules for its own guidance and for the government of such health department as may be necessary, not

inconsistent with said sections. It shall, with the approval of the board of county commissioners and the municipality, whenever a city is a party in such a city-county health department (1) select the health director of such department, who shall be (a) well-trained in public health work though he or she need not be a graduate of an accredited medical school, but if he or she is not such a graduate, he or she shall be assisted at least part time by at least one medical consultant who shall be a licensed physician, (b) qualified in accordance with the merit system regulations of the state, and (c) approved by the Department of Health; (2) hold an annual meeting each year, at which meeting officers shall be elected for the ensuing year; (3) hold meetings quarterly each year; (4) hold special meetings upon a written request signed by two of its members and filed with the secretary; (5) make provision for suitable offices, facilities, and equipment for the health director and assistants and their pay and traveling expenses in the performance of their duties, with mileage to be computed at the rate provided in section 23-111½ for county officers and employees; (6) publish, on or soon after the second Tuesday in July of each year, in pamphlet form for free distribution, an annual report showing (a) the condition of its trust for each year, (b) the sums of money received from all sources, giving the name of any donor, (c) how all money has been expended and for what purpose, and (d) such other statistics and information in regard to the work of such health department as may be of general interest; (7) enact rules and regulations, subsequent to public hearing held after due public notice of such hearing by publication at least once in a newspaper having general circulation in the county or district at least ten days prior to such hearing, and enforce the same for the protection of public health and the prevention of communicable diseases within its jurisdiction, subject to the review and approval of such rules and regulations by the State Board of Health; (8) make all necessary sanitary and health investigations and inspections; (9) in counties having a population of more than three hundred thousand inhabitants, enact rules and regulations for the protection of public health and the prevention of communicable diseases within the district; Provided, that such rules and regulations shall have no application within the jurisdictional limits of any city of the metropolitan class, nor be in effect until (a) thirty days after the completion of a three-week publication in a legal newspaper, (b) approved by the county attorney with his or her written approval attached thereto, and (c) filed in the office of the county clerk of such county; (10) investigate the existence of any contagious or infectious disease and adopt measures, with the

approval of the Department of Health, to arrest the progress of the same; (11) distribute free, as the local needs may require, all vaccines, drugs, serums, and other preparations obtained from the Department of Health or purchased for public health purposes by the county board; (12) upon request, give professional advice and information to all city, village, and school authorities on all matters pertaining to sanitation and public health; (13) fix the salaries of all employees, including the health director. Such city-county health department may also establish an independent pension plan, retirement plan, or health insurance plan, or by agreement with any participating city or county, provide for the coverage of officers and employees of such city-county health department under such city or county pension plan, retirement plan, or health insurance plan. Officers and employees of a county health department shall be eligible to participate in the county pension plan, retirement plan, or health insurance plan of such county; and (14) establish fees for the costs of all services including those services for which third party payment is available.

Sec. 121. That section 71-2005, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

71-2005. The Governor shall appoint an Advisory Council on Hospital and Medical Facilities to advise and consult with the Department of Health in carrying out the administration of sections 71-2001 to 71-2016. The council shall consist of the director and twelve members. The director shall serve as chairman chairperson ex officio. The other members shall include representatives of nongovernment organizations or groups, and of state agencies, concerned with the operation, construction, or utilization of hospitals and medical facilities and representatives particularly concerned with education or training of health profession personnel, with representatives of the consumers of such services selected from among persons familiar with the need for such services in urban or rural areas being not less than one half the appointed membership. Each member shall hold office for a term of three years, except that any member appointed to fill a vacancy occurring prior to the expiration of the term for which his or her predecessor was appointed, shall be appointed for the remainder of such term. The terms of office of the members first taking office shall expire, as designated at the time of appointment, three at the end of the first year, four at the end of the second year, and three at the end of the third year, after the date of appointment. Council members, while serving on business of the council, shall

receive compensation at the rate of twenty dollars per day and shall also be entitled to receive actual and necessary travel and subsistence expenses while so serving away from their places of residence as provided in sections 84-306.01 to 84-306.05 for state employees. The council shall meet as frequently as the director deems necessary but not less than once each year. Upon request by five or more members, it shall be the duty of the director to call a meeting of the council.

Sec. 122. That section 71-2045.06, Revised Statutes Supplement, 1980, be amended to read as follows:

71-2045.06. The board shall elect from its appointed members a chairperson, vice-chairperson, and such other officers as it deems necessary. The members of the board who are not officers or employees of the State of Nebraska shall, in addition to travel and other necessary expenses, receive a per diem of twenty dollars for each day actually engaged in the discharge of their duties, including compensation for the time spent in conducting the examination. Traveling and other necessary expenses shall be reimbursed ~~on the same basis and subject to the same conditions as those of full-time~~ as provided in sections 84-306.01 to 84-306.05 for state employees. All expenses of the board and in the administration of this act shall be paid from the fund by voucher signed by the head of the Bureau of Examining Boards, Department of Health. The board shall receive all license renewal funds above the necessary operating expenses incurred by the Bureau of Examining Boards, Department of Health, for annual renewal of licensure. Any surplus in funds at the end of the fiscal year shall be retained by the board for future expenditures. Expenses of members who are in the employ of the state shall be paid from the appropriation to their respective departments. Appointed members may be removed by the State Board of Health for misconduct, incapacity, incompetence, or neglect of duty after being served with a written statement of charges and after opportunity for a hearing on such charges. The board, with the approval of the Department of Health, may employ and fix the compensation and duties of necessary personnel, including an executive secretary, to assist it in the performance of its duties.

Sec. 123. That section 71-2605, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

71-2605. The members of the State Board of Health shall receive the sum of twenty dollars per diem, while actually engaged in the business of the board, and

shall be reimbursed for the necessary expenses incurred in the performance of their duties as provided in sections 84-306.01 to 84-306.05 for state employees.

Sec. 124. That section 71-2703, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

71-2703. A board to be known as the Board of Examiners in Massage, is hereby established under the supervision of the Director of Health, to consist of three members to be appointed by the Governor. Each member shall be a practicing masseur or masseuse, who has been practicing massage in this state for at least three years prior to his or her appointment. The Nebraska Association of Massage, or its managing board may submit each year to the Governor a list of five persons of recognized ability, who have the qualifications prescribed for the Board of Examiners in Massage. The Nebraska Association of Masseurs may recommend persons to be appointed to such board. Each member of said board shall be a practicing masseur or masseuse in this state for at least three years prior to his or her appointment. The members of the first board appointed shall serve for five years, four years, and three years, respectively, as appointed and the members appointed thereafter shall serve for five years. The Governor may remove a member for cause. Each board of examiners shall organize annually and select a chairman chairperson, a vice-chairman vice-chairperson, and a secretary from its own membership. A majority of the board shall constitute a quorum. Each member of the board shall receive ten dollars per day as compensation for his or her services only on the days when the board is meeting, and shall be reimbursed for the necessary travel expenses incurred in the discharge of duty as provided in sections 84-306.01 to 84-306.05 for state employees, not to exceed one thousand dollars per annum. The Board of Examiners in Massage may select one of its members to attend the annual meeting of the convention of the National Organization of Masseurs. The member selected shall receive his or her necessary traveling and hotel expenses in connection with attending such meeting if there are funds available in the fund as provided by section 71-2714. No funds or state money shall be drawn upon to pay the expenses of the administration of sections 71-2701 to 71-2719, except money collected as fees. The board shall conduct examinations of applicants for licenses to practice as registered masseurs or masseuses and to determine their educational fitness not less than once each year, or oftener if the board deems it necessary. The examination of applicants for licenses as masseurs shall include both practical demonstration and a

written and oral test, and shall embrace the subjects usually taught in a school of massage and approved by the board.

Sec. 125. That section 71-2908, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

71-2908. The members of the board of trustees shall meet on the first Monday subsequent to thirty days after the filing with the Secretary of State of the certificate of incorporation of the district and shall organize by the election of one of their members as president and one thereof as secretary. The members of the board shall serve without compensation except that the necessary expenses of each member for actual traveling expenses on meetings or business connected with the board shall be allowed and paid, with reimbursement for mileage to be computed at the rate provided in section 23-1112 for county officers and employees. In the event of the resignation, death, or disability of any member, his a successor shall be appointed by the county board, if such board originally made such appointment, or by the governing board of the appropriate municipality, if such appointment was originally made by the board of a municipality. The board of trustees shall provide for the time and place of holding its regular meetings, the manner of calling the same, and shall establish rules for its proceedings. Special meetings shall be called by three trustees and notice of the holding thereof shall be given to each member at least three hours before the meeting. All of its sessions, whether regular or special, shall be open to the public and a majority of the members of the board shall constitute a quorum for the transaction of business.

Sec. 126. That section 71-3506, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

71-3506. (1) There is hereby established a radiation advisory council within the department consisting of nine members to be appointed by the Governor. The Governor shall appoint to the council one individual with experience relating to radiation from each of the following fields: (a) Radiology, (b) medicine, exclusive of radiology, (c) radiation or health physics, (d) law, (e) agriculture, (f) labor, (g) business or industry, (h) dentistry, and (i) chiropractic, osteopathy, or podiatry. Each appointed member shall hold office for a term of three years, except that any member appointed to fill a vacancy occurring prior to the expiration of the term for which

his or her predecessor was appointed, shall be appointed for the remainder of such term. The terms of office of the members first taking office shall expire, as designated at the time of appointment, three at the end of the first year, three at the end of the second year, and three at the end of the third year. After the date of appointment, appointed council members, while serving on business of the council, shall receive compensation at the rate of twenty dollars per day and shall also be entitled to receive actual and necessary travel and subsistence expenses while so serving as provided in sections 84-306.01 to 84-306.05 for state employees.

(2) The council shall:

(a) Elect a chairman chairperson to serve at the pleasure of the council;

(b) Meet on call of the chairman chairperson or at the request of any three members;

(c) Review and evaluate policies and programs of the state relating to radiation; and

(d) Make recommendations to the coordinator and the department and furnish such technical advice as may be required on matters relating to development, utilization, and regulation of sources of radiation.

Sec. 127. That section 71-3706, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

71-3706.. The Board of Registration for Sanitarians shall consist of five members appointed by the Governor. Each member shall have been engaged in environmental health for at least ten years and shall have had responsible charge of work for at least five years at the time of his or her appointment. Each member shall be a registered sanitarian. Each member of the board shall receive as compensation not more than twenty-five dollars per day for each day actually spent in traveling to and from and while attending sessions of the board and its committees, and each member shall also receive the necessary expenses incident to the performance of his or her duties as provided by sections 84-306.01 to 84-306.05 for state employees and subject to section 71-3708.01.

Sec. 128.. That section 71-3809, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

71-3809. Each board member shall receive actual necessary traveling and subsistence expenses incidental to board meetings as provided in sections 84-306.01 to 84-306.05 for state employees.

Sec. 129. That section 71-4611, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

71-4611. For the purpose of carrying out the provisions of sections 71-4601 to 71-4620, the department is authorized to:

(1) Hold such hearings, take such testimony, act at such times and places, administer such oaths, and require, by subpoena or otherwise, the attendance and testimony of such witnesses and the production of such books, papers, correspondence, memoranda, contracts, agreements, or other records, as the department deems advisable. Witnesses summoned pursuant to this section shall be paid the same fees ~~and mileage~~ as are paid witnesses in the district courts of the state and mileage as provided in section 84-306.03 for state employees;

(2) Examine and copy any documentary evidence of any person having materials or information relevant to any function of the department under sections 71-4601 to 71-4620;

(3) Require, by general or special orders, any person to file, in such form as the department may prescribe, reports or answers in writing to specific questions relating to any function of the department under sections 71-4601 to 71-4620. Such reports and answers shall be made under oath or otherwise, and shall be filed with the department within such reasonable period as the department may prescribe; and

(4) Make available to the public any information which may indicate the existence of a defect which relates to mobile home construction or safety or of the failure of a mobile home to comply with applicable standards. The department shall disclose so much of other information obtained under this subdivision to the public as it determines will assist in carrying out the provisions of sections 71-4601 to 71-4620, but it shall not under the authority of this subdivision make available or disclose to the public any information which contains or relates to a trade secret or any information the disclosure of which would put the person furnishing such information at a substantial competitive disadvantage, unless the department determines that it is necessary to carry out the purposes of sections 71-4601

to 71-4620.

Sec. 130. That section 71-4715, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

71-4715. (1) There is hereby established a Board of Hearing Aid Dealers and Fitters which shall guide, advise, and make recommendations to the department.

(2) Members of the board shall be residents of the state. The board shall consist of three hearing aid dealers and fitters, one otolaryngologist, and one audiologist. Each hearing aid dealer and fitter on the board shall have not less than five years of experience and shall hold a valid license as a hearing aid dealer and fitter, as provided under sections 71-4701 to 71-4719, except that the hearing aid dealers and fitters of the first board appointed shall have not less than five years of experience and shall fulfill all qualifications for license by experience as provided under section 71-4705.

(3) All members of such board shall be appointed by the Governor. The term of office of each member shall be for four years, excepting that of the members of the first board appointed under sections 71-4701 to 71-4719, two shall be appointed for two years; two shall be appointed for three years; and one shall be appointed for four years. Before a member's term expires, the Governor shall appoint a successor to take office on the expiration of his or her term. A vacancy in the office of a member shall be filled by appointment for the unexpired term. The members of the board shall annually designate one member to serve as chairman chairperson and another to serve as secretary-treasurer.

No member of the board who has served two or more full terms may be reappointed to the board until at least one year after the expiration of his or her most recent full term of office.

(4) Members of the board shall receive for each day actually engaged in the duties of the office a per diem amount of twenty-five dollars, not to exceed the sum of one thousand dollars per year, and reimbursement for actual and necessary travel and other expenses, as provided in sections 84-306.01 to 84-306.05 for state employees, such remuneration and reimbursement to be paid from appropriations made for this purpose. ~~Expenses of members shall not exceed the limit established by standard travel regulations of the department in effect at the time of the expenditures.~~

Sec. 131. That section 71-4723, Revised Statutes Supplement, 1980, be amended to read as follows:

71-4723. The members of the commission shall receive no compensation for their services as such but shall be reimbursed for their actual and necessary expenses in attending meetings of the commission and in carrying out their official duties as provided in section sections 84-306.01 to 84-306.05, for state employees.

Sec. 132. That section 71-4902, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

71-4902. The Governor shall appoint a renal disease advisory committee to consult with and advise the Department of Health in the administration of the provisions of sections 71-4901 to 71-4905. Members of such committee shall be chosen with geographical balance. The committee shall be composed of four persons representing hospitals, medical centers, and physicians trained in the area of renal disease. Of the members of the committee to be appointed, one shall be appointed from the Medical Center of the University of Nebraska, one shall be a practicing physician within the State of Nebraska who has a special interest in the care, treatment, and study of renal disease and has a current practice and training in that field, and one shall be an administrator from a hospital in the State of Nebraska who has an active unit engaged in hemodialysis treatments or other renal disease treatments. The fourth member shall be chosen from voluntary agencies within the State of Nebraska interested in kidney diseases. Each member shall hold office for a term of two years and until his a successor is appointed and qualified, except that the terms of the members first taking office shall expire as designated at the time of appointment, two at the end of the first year and two at the end of the second year after the date of appointment. Any person appointed to fill a vacancy occurring prior to the expiration of the term for which his or her predecessor was appointed shall be appointed for the remainder of such term. The committee shall meet as frequently as the Director of Health or the chairman chairperson of the renal disease advisory committee deems necessary, but not less than twice each year. Committee members, while serving on business of the committee, shall receive compensation at the rate of twenty dollars per day and shall also be entitled to receive actual and necessary travel subsistence expenses while so serving ~~away--from--their~~ places-of-residence as provided in sections 84-306.01 to 84-306.05 for state employees. Upon request of three or more members, it shall be the duty of the Director of

Health to call a meeting of the committee.

Sec. 133. That section 71-5005, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

71-5005. The members of the regional governing board shall serve without compensation, but shall be entitled to reimbursement for their actual and necessary expenses incurred in attending meetings or in the discharge of any duty assigned to them by the board with mileage to be computed at the rate provided in section 23-1114 for county officers and employees.

Sec. 134. That section 71-5006, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

71-5006. The governing board shall (1) organize and supervise the comprehensive mental health, drug abuse, and alcoholism programs, services, and facilities under its jurisdiction, (2) cause such services to be provided to the people, (3) name and appoint a program director to serve as the chief executive officer of the program, (4) report annually to the director regarding the expenditure of funds and the evaluation of services rendered during the preceding year, (5) submit annually to the director a proposed budget and plan of the services to be offered the community, (6) establish the amount of funds to be requested of each county, (7) appoint an advisory committee which is representative of all counties in the region and which shall include one or more members of the governing board, one or more mental health professionals, one or more mental health employee representatives, one or more representatives of mental health organizations or associations, and a majority of consumers who do not receive more than one-tenth of their income from the provision of mental health care, and (8) consult with the appointed advisory committee on the planning, organization, contracting, provision, evaluation, and fiscal analysis of the mental health services in the region. The advisory committee shall meet on a quarterly basis, and the members shall be reimbursed for actual and necessary expenses incurred in carrying out their duties, with mileage to be computed at the rate provided in section 23-1112 for county officers and employees.

Sec. 135. That section 71-5008, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

71-5008. A state citizens' advisory committee shall be created. The committee shall consult with the director on the statewide plan, minimum standards, equitable provision of mental health services, including program priorities, encouragement of research, statewide fee schedules and general fiscal analysis, and other matters as necessary to insure the implementation of section 71-5001. The committee shall consist of one member of each regional governing board as appointed by that board and one consumer from each regional mental health advisory committee as nominated by that committee and appointed by that regional governing board. The committee shall elect a chairman chairperson from the members of such committee. The committee shall meet on a quarterly basis. Members shall be reimbursed for actual and necessary expenses incurred in carrying out their duties as provided in sections 84-306.01 to 84-306.05 for state employees.

Sec. 136. That section 71-5026, Revised Statutes Supplement, 1980, be amended to read as follows:

71-5026. The committee shall elect a chairperson from its members. The committee shall meet not less than once every three months. The members of the committee shall be reimbursed for actual and necessary expenses incurred in carrying out their duties as provided in sections 84-306.01 to 84-306.05 for state employees.

Sec. 137. That section 71-5118, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

71-5118. Each member of the board shall receive no compensation but shall be entitled, while serving on the business of the board, to receive his or her travel and other necessary expenses while so serving away--from his place of residence, on the same basis and subject--to the same conditions as those of full-time as provided in sections 84-306.01 to 84-306.05 for state employees.

Sec. 138. That section 71-5606, Revised Statutes Supplement, 1980, be amended to read as follows:

71-5606. The members of the commission shall receive no compensation, but they shall receive reimbursement for actual and necessary expenses on--the same--basis--and--subject--to--the--same--conditions--as full-time as provided in sections 84-306.01 to 84-306.05 for state employees. Such reimbursement shall be paid by the Department of Health. Staff support for the commission shall be provided by the Department of Health.

Sec. 139. That section 71-5845, Revised Statutes Supplement, 1980, be amended to read as follows:

71-5845. Members of the Certificate of Need Advisory Committee shall be reimbursed for their actual and necessary expenses ~~on the same basis and subject to the same conditions as provided under section 84-306.01, for full-time~~ as provided in sections 84-306.01 to 84-306.05 for state employees.

Sec. 140. That section 71-5864, Revised Statutes Supplement, 1980, be amended to read as follows:

71-5864. Members of the Certificate of Need Appeal Panel shall be paid a per diem of fifty dollars for each day actually and necessarily engaged in the performance of their duties as members of such panel and shall be reimbursed for their actual and necessary expenses ~~on the same basis and subject to the same conditions as provided under section 84-306.01, for full-time~~ as provided in sections 84-306.01 to 84-306.05 for state employees.

Sec. 141. That section 72-201, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

72-201. (1) The Board of Educational Lands and Funds shall consist of five members to be appointed by the Governor with the consent of a majority of the members elected to the Legislature. One member shall be appointed from each of the congressional districts as the districts were constituted on January 1, 1961, and a fifth member shall be appointed from the state at large. One member of the board shall be competent in the field of investments. The initial members shall be appointed to take office on October 1, 1955, and shall hold office for the following periods of time: The member from the first congressional district for one year; the member from the second congressional district for two years; the member from the third congressional district for three years; the member from the fourth congressional district for four years; and the member from the state at large for five years. As the terms of the members expire, the Governor shall appoint or reappoint a member of the board for a term of five years, except members appointed to fill vacancies whose tenures shall be the unexpired terms for which they shall be appointed. If the Legislature is not in session when such members, or some of them, are appointed by the Governor, such members shall take office and act as recess appointees until the Legislature next thereafter convenes. The compensation of the members shall be forty dollars per day for each day's time

actually engaged in the performance of the duties of their office. Each member shall also be paid his or her necessary traveling expenses incurred while away-from-his place-of-residence upon business of the board as provided in sections 84-306.01 to 84-306.05 for state employees. The board shall cause all school, university, agricultural college, and state college lands, owned by or the title to which may hereafter vest in the state, to be registered, leased, and sold, as hereinafter provided, and shall have the general management and control of such lands, and make necessary rules not provided by law. The funds arising from these lands shall be disposed of in the manner provided by the Constitution, sections 72-201 to 72-252, and other laws of Nebraska not inconsistent herewith.

(2) No person shall be eligible to membership on the board who is actively engaged in the teaching profession, who holds or has any financial interest in a school land lease, who is a holder of or a candidate for any state office or a member of any state board or commission, or who has not resided in this state for at least three years.

(3) The board shall elect one of its members as chairman chairperson of the Board of Educational Lands and Funds. In the absence of the chairman chairperson, any member of the board may, upon motion duly carried, act in his or her behalf as such chairman chairperson. It shall keep a record of all proceedings and orders made by it. No order shall be made except upon the concurrence of at least three members of the board. It shall make all orders pertaining to the handling of all lands and funds set apart for educational purposes.

(4) The board shall maintain an office in the State Capitol at Lincoln and shall meet in its office not less than once each month.

(5) The board may appoint a secretary for the board. The compensation of the secretary shall be payable monthly, as fixed by the board.

Sec. 142. That section 72-224.03, Revised Statutes Supplement, 1980, be amended to read as follows:

72-224.03. Any public body that has or hereafter shall be granted by the Legislature the authority to acquire educational lands for public use shall be required to condemn the interest of the state, as trustee for the public schools, in educational lands in the following manner:

(1) The proceedings shall be had before a board consisting of (a) the superintendent of a school district offering instruction in grades kindergarten through twelve, (b) a certified public accountant, and (c) a licensed real estate appraiser, all appointed by the Governor for a term of six years, except that of the initial appointees one shall serve for a term of two years, one for a term of four years, and one for a term of six years as designated by the Governor. The members of the board shall each receive fifty dollars for each day actually engaged in the performance of official duties and shall be reimbursed for expenses as provided in section sections 84-306.01 to 84-306.05, for state employees, to be paid by the Board of Educational Lands and Funds;

(2) The condemnation proceedings shall be commenced by the filing of a plat and complete description of the lands to be acquired together with an application for that purpose with the secretary of the Board of Educational Lands and Funds. Notice of the pendency of such application and the date of hearing shall be given by serving a copy of the application, together with notice of the date of hearing, upon the Governor and the Attorney General. The date of hearing shall be not less than ten days from the date of the filing of the application;

(3) The condemner and the Board of Educational Lands and Funds may present evidence before the board of appraisers. The board shall have the power to administer oaths and subpoena witnesses at the request of either party or on its own motion;

(4) After hearing the evidence, the board of appraisers shall make the award and file same in the office of the Board of Educational Lands and Funds. Appeals from such award may be taken to the district court of Lancaster County; and

(5) Upon payment of the amount of the award by the condemner, it shall be the duty of the secretary of the Board of Educational Lands and Funds to transmit a certified copy of the award to the condemner for filing in the office of the register of deeds in the county or counties where the land is located. The filing of such certified copy of the award shall have the force and effect of a deed of conveyance of the real estate and shall constitute a transfer of the title thereto.

Sec. 143. That section 72-720, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

72-720. There is hereby established a Capitol Mural Commission to consist of the President of the Nebraska State Historical Society, the Chancellor of the University of Nebraska, the Director of Joslyn Memorial Art Museum, and six other persons to be appointed by the Governor. The six members to be so appointed shall be as follows: Two persons who are residents of Nebraska and members of different art associations in this state, one person who is a resident of this state and a member of the American Institute of Architects, and three persons who are residents of this state and have special interests in murals. The members shall receive no salary, but shall be paid their actual expenses while ~~away-from-home~~ engaged in the duties provided by sections 72-720 to 72-722 as provided in sections 84-306.01 to 84-306.05 for state employees.

Sec. 144. That section 72-1121, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

72-1121. The committee shall organize by selecting a ~~chairman~~ chairperson and such other officer or officers as it may deem necessary and shall establish rules to govern its procedures. Any vacancy occurring in the committee shall be filled in the manner in which original appointments are made. Any person so named to fill a vacancy shall have the same qualifications as his or her immediate predecessor. No person shall receive any compensation for service rendered as a member of such committee but shall be reimbursed for his or her actual and necessary expenses as provided in sections 84-306.01 to 84-306.05 for state employees.

The committee shall meet at such times as the business of such committee shall require and at such place as may be established by its ~~chairman~~ chairperson, but in no case shall the committee meet fewer than three times annually. Three members shall constitute a quorum for the transaction of business. No member of the committee shall participate in any hearing in which he or she has an interest in the subject matter.

Sec. 145. That section 72-1239, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

72-1239. The purpose of the council shall be to formulate and establish such policies as it may deem necessary and proper which shall govern the methods, practices, and procedures followed by the state investment officer for the investment or reinvestment of state funds and the purchase, sale, or exchange of

securities as provided by this act. The council shall meet from time to time as directed by the Governor or the chairman chairperson or as requested by the state investment officer. The members of the council shall be paid twenty dollars per diem and reimbursed for all necessary expenses incurred in connection with the performance of their duties as members as provided in sections 84-306.01 to 84-306.05 for state employees.

Sec. 146. That section 76-303, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

76-303. The court, rendering judgment or decree in any case provided for by sections 76-301 to 76-311 against any occupant or claimant, shall, at the request of such occupant or claimant, issue an order to the sheriff of the county wherein such real estate is situated commanding him or her to summon three disinterested freeholders of such county, whose duty it shall be to appraise such real estate and the improvements aforesaid at their cash value as provided in section 76-304. The appraisers shall take and subscribe an oath to impartially appraise the real estate and improvements, which oath shall be filed with the clerk of the court issuing such order. The order thus issued to the sheriff shall be accompanied by written instructions from the court to the appraisers, necessary to carry out the provisions of sections 76-301 and 76-302. Such appraisers shall be allowed the same fees and mileage as jurors are allowed in the district court and mileage as provided in section 84-306.03 for state employees.

Sec. 147. That section 75-513, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

76-513. All fees collected under sections 25-1292 and 76-509 to 76-528 shall be deposited in the state treasury and by the State Treasurer placed in the Abstracters Board of Examiners Cash Fund which is hereby created, from which all expenses of the board shall be paid, subject to appropriation. No member of the board other than the secretary shall receive a salary. Each member of the board and the secretary, if not a member of the board, shall receive a per diem compensation of fifty dollars for each day of actual service while attending meetings or otherwise engaged upon the business of the board, and shall receive a mileage allowance ~~of not to exceed the maximum provided for in section 81-1014,~~ as provided in section 84-306.03 for state employees for each mile actually traveled in the attendance of such business and the further allowance for expenses while

absent from home upon business of the board as provided in sections 84-306.01 to 84-306.05 for state employees. The secretary shall be paid a salary to be determined by the board.

Sec. 148. That section 76-1609, Revised Statutes Supplement, 1980, be amended to read as follows:

76-1609. The Director of Economic Development shall be the chairman chairperson of the fund. The members shall elect from among their number a ~~vice-chairman~~ vice-chairperson and such other officers as they may determine. They shall receive no compensation for their services but shall receive reimbursement for actual and necessary expenses ~~on the same basis and subject to the same conditions as full-time~~ as provided in sections 84-306.01 to 84-306.05 for state employees.

Sec. 149. That section 77-3,106, Revised Statutes Supplement, 1980, be amended to read as follows:

77-3,106. The members of the committee shall receive no compensation for their services as such but shall be reimbursed for their expenses while performing their duties under sections 77-3,101 to 77-3,106 as provided in section sections 84-306.01 to 84-306.05, for state employees.

Sec. 150. That section 77-417, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

77-417. The necessary expenses for travel, meals, and lodging incurred in attending any course of training provided for in sections 77-415 to 77-420 shall be paid from the county general fund. This shall include the necessary expenses for travel, board, and lodging of newly elected assessors or county clerks who are ex officio county assessors in attending any course of training under sections 77-415 to 77-420 prior to commencement of their term of office. Mileage reimbursements shall be computed at the rate provided in section 23-1112 for county officers and employees. All other costs of conducting courses of training under sections 77-415 to 77-420 shall be paid by the State of Nebraska.

Sec. 151. That section 77-1720, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

77-1720. All fees allowed for issuing distress warrants, levy and return of the same, in the cases above

provided, shall be fifty cents for issuing each warrant, one dollar for levy, and ~~ten-cents-a-mile~~ mileage at the rate provided in section 33-117 for county sheriffs for each mile actually and necessarily traveled by such officer on each warrant. When the officer has more than one warrant in his or her hands for service, he or she shall charge only for the mileage actually and necessarily traveled in serving all of the warrants, in which case the mileage so charged shall be prorated among such warrants. Commission shall be allowed in addition on all taxes collected by distress and sale as follows: On all sums not exceeding one hundred dollars, ten cents on each dollar; on all sums exceeding one hundred dollars, eight cents on each dollar. All fees, mileage, and commissions shall be taxed to the parties against whom the distress warrants run and shall be collected as the original tax; Provided, that when the taxes are not collected by distress and sale, the mileage shall be paid as provided in section 33-117; and provided further, when mileage has been paid as provided in section 33-117 and the tax, together with all fees, mileage, and commission are collected, then the amount collected as mileage shall be paid to the county treasurer with the fees and commission and credited by the county treasurer to the general fund of the county.

Sec. 152. That section 77-2024, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

77-2024. The appraisers shall be paid a reasonable fee to be fixed by the county judge, together with ~~legal~~ mileage at the rate provided in section 84-306.03 for state employees. Witnesses shall be allowed the sum of ten dollars per day for every day's attendance at an appraisal hearing, together with ~~legal~~ mileage at the rate provided in section 84-306.03 for state employees. The officer serving process under sections 77-2001 to 77-2037 shall receive the same fees ~~and mileage~~ as are now provided by law for similar services with mileage to be computed at the rate provided in section 33-117 for county sheriffs. When it is determined that an inheritance tax is due, all costs made or incurred in the determination and assessment of inheritance tax, including appraiser's fees, shall be charged to the estate of the decedent.

Sec. 153. That section 79-327, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

79-327. (1) The State Board of Education shall meet regularly and periodically in the office of the

State Department of Education at the State Capitol at least four times annually. Meetings shall be held during the first full week in June and during the first full week in December of each year. It may meet at such other times and places as the board may determine necessary for the proper and efficient conduct of its duties. Special meetings may be called in accordance with sections 79-327, 84-1408 to 84-1414, and 85-104. Five members of the board shall constitute a quorum.

(2) The public shall be admitted to all meetings of the State Board of Education except to such closed sessions as the board may direct in accordance with sections 79-327, 84-1408 to 84-1414, and 85-104. The board shall cause to be kept a record of all public meetings and proceedings of the board. The commissioner, or his or her designated representative, shall be present at all meetings except when the order of business for the board is the selection of a Commissioner of Education.

(3) The members of the State Board of Education shall receive no compensation for their services but shall be reimbursed for actual and essential expenses incurred in attending meetings or incurred in the performance of duties as directed by the board as provided in sections 84-306.01 to 84-306.05 for state employees.

Sec. 154. That section 79-426.03, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

79-426.03. There is hereby created a State Committee for the Reorganization of School Districts, to be known as the state committee. The state committee shall be composed of six members. One member of the state committee shall be the Commissioner of Education ex officio, who shall serve as a nonvoting member of the committee. Within thirty days after September 18, 1955, the State Board of Education, by a resolution adopted with the assent of a majority of its members, shall appoint the remaining five members of the state committee, one each for terms of one, two, three, four, and five years respectively. As the term of each such member shall expire, a successor shall be appointed in the same manner for a term of five years. The present members of the state committee, as heretofore constituted, shall continue to act until the State Board of Education has appointed the new membership as above provided, at which time the terms of the present members shall end. Three members of the state committee shall at all times be laymen lay persons, and two members shall at all times be persons holding teachers' certificates

issued by the authority of the State of Nebraska. Vacancies in the membership of the state committee shall be filled for the unexpired term by appointment in the same manner as the original appointment to membership. Members of the state committee shall serve without compensation, but shall be reimbursed for expenses necessarily incurred in the performance of their duties, the reimbursement to be allowed as provided in sections 84-306.01 to 84-306.05 for state employees and paid from funds appropriated by the Legislature to the office of the State Board of Education.

Sec. 155. That section 79-426.05, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

79-426.05. There is hereby established in each county in the state a committee for the reorganization of school districts, to be known as the county committee. Each county committee shall be composed of not less than six nor more than ten members. The county committee of the county in which the schoolhouse or the administrative office of a joint district lying in two or more counties is located shall be designated to have within its jurisdiction the territory of said joint district for the purpose of organizing school districts. One member of the county committee shall be the county superintendent of schools, who shall serve as a nonvoting member of the committee. The remaining members shall be elected from each class of school district in the proportion that their population bears to the entire county population. All of the members of school boards and boards of education within the county and joint districts under the jurisdiction of that county committee shall, at a meeting called for that purpose by the county superintendent of schools within one hundred twenty days from August 27, 1949, and each four years thereafter, (1) determine by a majority vote of those present the number of members of the county committee within the limits prescribed in this section, and (2) elect for a term of four years all the remaining members of the committee other than the county superintendent of schools. Each class of school district shall have at least one representative on the committee. At least one of the elective members shall not be a member of any school board or board of education. No member of a county committee shall continue to serve thereon if he or she ceases to be a resident of the county or of a joint school district under the jurisdiction of that county committee. At the expiration of their terms, successors to members of the county committee shall be elected for a term of four years in the same manner as the initial election. Vacancies in the membership of the county committee shall be filled

for the unexpired term by the remaining members of the county committee. Members of the county committee shall serve without compensation, but shall be reimbursed for expenses necessarily incurred in the performance of their duties, with mileage reimbursements to be computed at the rate provided in section 23-1112 for county officers and employees, the reimbursement to be allowed and paid from funds appropriated by the county board. The county committee may employ professional and clerical help and the cost of these services shall be paid from funds appropriated by the county board. It shall be the duty of the county superintendents of each of the several counties to submit to their respective county boards a recommended sum to be appropriated for school district reorganization purposes.

Sec. 156. That section 79-490, Revised Statutes Supplement, 1980, be amended to read as follows:

79-490. When no other means of free transportation is provided to a student attending a public school, an allowance for transportation shall be made to the family of such student by the district in which such family resides as follows: (1) When a student attends an elementary school in his or her own district and lives more than four miles from the public schoolhouse therein, there shall be paid for each day of attendance ~~sixty-cents-per-mile~~ two hundred and eighty-five per cent of the mileage rate provided in section 84-306.03 for each mile or fraction thereof actually traveled by which the distance of the residence of such student from the schoolhouse exceeds four miles; (2) when a student is required to attend an elementary school outside of his or her own district there shall be paid for each day of attendance ~~sixty-cents-per-mile~~ two hundred and eighty-five per cent of the mileage rate provided in section 84-306.03 for each mile or fraction thereof actually traveled by which the distance to the school in the other district is in excess of the distance to the school in the district of his or her residence; (3) when a student attends a secondary school in his or her own Class II or III school district and lives more than four miles from the public schoolhouse there shall be paid ~~sixty-cents-per-mile~~ two hundred and eighty-five per cent of the mileage rate provided in section 84-306.03 for each mile or fraction thereof actually traveled by which the distance of the residence of such student from the schoolhouse exceeds four miles; and (4) when a student, other than a student in grades ten through twelve in a Class V district, attends an elementary or junior high school in his or her own Class V district and lives more than four miles from the public schoolhouse therein, there shall be paid for each day of

attendance ~~sixty-cents-per-mile~~ two hundred and eighty-five per cent of the mileage rate provided in section 84-306.03 for each mile or fraction thereof actually traveled by which the distance of the residence of such student from the schoolhouse exceeds four miles. Where the patrons of a Class VI school district have voted to operate and provide free bus transportation for the pupils of the district, such district shall be eligible for payment for transportation as provided for in the School Foundation and Equalization Act. The number of days the student has attended school shall be reported monthly by the teacher to the school board of such public school district. No more than one allowance shall be made to a family irrespective of the number of students in a family being transported to school. If a family resides in a Class I district which is part of a Class VI district, and has students enrolled in any grade of grades kindergarten through six in the Class I district and in any grade of grades seven and eight in the Class VI district, such family shall receive not more than one allowance for the distance actually traveled when both districts are on the same direct travel route with one district being located a greater distance from the residence than the other. In such cases, the travel allowance shall be prorated among the school districts involved. Unless the parties involved cannot mutually agree, the county superintendent of the district in which the school attended is located shall determine the pro rata share to be paid by each district. In the event the schools attended are in different counties, the respective county superintendents shall determine the proper pro rata amount each district shall pay. No pupil shall be exempt from school attendance on account of distance from the public schoolhouse.

Sec. 157. That section 79-1034, Revised Statutes Supplement, 1980, be amended to read as follows:

79-1034. The general administration of the retirement system is hereby vested in the board of education. The board shall appoint, by a majority of all its members, nine trustees to serve as executive officers to administer sections 79-1032 to 79-1060. Such board of trustees shall consist of (1) the superintendent of schools, as ex officio trustee, (2) three members of the system, two of whom shall be from the certified staff, and one of whom shall be from the classified staff, (3) three members of the board, and (4) two trustees who shall be business persons qualified in financial affairs, not members of the system. The first trustees will take office as of the effective date of the system and the terms of office shall begin as of that date. The trustees shall serve without compensation, but they shall

be reimbursed from the funds of the retirement system for expenses that they may incur through service on the board of trustees as provided in sections 84-306.01 to 84-306.05 for state employees. A trustee shall serve until a successor qualifies, except that trustees who are members of the retirement system or members of the school board shall be disqualified as trustees immediately upon ceasing to be a member of the system or of the school board. Each trustee shall be entitled to one vote on the board of trustees and five trustees shall constitute a quorum for the transaction of any business. The trustees who are appointed from the board and the membership shall be appointed for each fiscal year. The two trustees who are not members of the board or of the system shall be appointed for three fiscal years each.

Sec. 158. That section 79-1281, Revised Statutes Supplement, 1980, be amended to read as follows:

79-1281. The Governor shall appoint a Professional Practices Commission of twelve members nominated by the teaching profession and existing teachers professional organizations. Members shall be representative of elementary classroom teachers, secondary classroom teachers, school administrators, and higher education. Initial appointments shall be four for three years, four for two years, and four for one year. Successors shall be appointed for a term of three years. No member may succeed himself or herself more than once. Members of the commission shall be reimbursed for their actual and necessary expenses ~~on the same basis and subject to the same conditions as full-time~~ as provided in sections 84-306.01 to 84-306.05 for state employees. The commission shall meet on call of the ~~chairman~~ chairperson of the commission. Compensation of members of the commission who are public employees shall not be reduced by the agency or body by which they are regularly employed for any absence from service occasioned by attendance upon the business of the commission, its committees or subcommittees. Each school district which employs a member of the commission and which is required to employ a person to replace such member during his or her attendance at meetings of the commission or any committee or subcommittee thereof, shall be reimbursed from the Professional Practices Commission Fund for the expense it incurs from employing a replacement.

Sec. 159. That section 79-1281.01, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

79-1281.01. The commission may appoint or retain an executive director and such other persons as it may

deem necessary for the performance of its functions and shall prescribe their duties, fix their compensation, and provide for reimbursement of their expenses as provided in sections 84-306.01 to 84-306.05 for state employees within the amounts available in the budget of the commission.

Sec. 160. That section 79-1421, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

79-1421. (1) The State Board of Education, as designated in section 79-322, shall also be the State Board of Vocational Education and, when acting as the State Board of Vocational Education, shall assume the powers and duties thereof, as provided in sections 79-1419 to 79-1435.

(2) The Commissioner of Education shall be the executive officer of the State Board of Vocational Education. The members of the State Board of Vocational Education shall receive no compensation for their services. They shall be reimbursed for actual and essential expenses incurred in attending meetings or incurred in the performance of their duties as directed by the board as provided in sections 84-306.01 to 84-306.05 for state employees. The State Board of Vocational Education shall meet in the office of the State Department of Education at the State Capitol regularly and periodically and at least four times annually. It may meet at such other times and places as the board may determine necessary for the proper and efficient conduct of its duties. Special meetings may be called by the presiding officer upon a written notice given at least five days preceding the meeting. In the absence of such a call by the presiding officer, the Commissioner of Education shall call such special meeting upon the written request of a majority of the board. Five members of the board shall constitute a quorum for the transaction of business.

Sec. 161. That section 79-2102, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

79-2102. The Nebraska Educational Television Commission shall be composed of nine members, as follows: (1) The Commissioner of Education or his or her designee; (2) The Chancellor of the University of Nebraska or his or her designee; (3) a representative of the state colleges; (4) a representative of private educational institutions of the State of Nebraska; (5) a member residing in a Class II school district; (6) a member

residing in a Class III school district; (7) a member residing in a Class IV school district; (8) a member residing in a Class V school district; and (9) a member residing in a Class I or Class VI school district. No more than four of the members shall be actively engaged in the teaching profession or administration of an educational institution. The members described in subdivisions (3) to (9) of this section shall be appointed by the Governor with the approval of the Legislature for a term of four years. The Governor shall select at least two members from each congressional district. Vacancies shall be filled by the Governor for the unexpired term. The members serving on December 25, 1969 shall serve until the first Thursday after the first Tuesday in January, 1971. The commission shall be nonpolitical in character and selection of the members of the commission shall be made on a nonpolitical basis. No member of the commission shall receive any compensation for his or her services. Reimbursement shall be provided for reasonable and necessary expenses incurred in attending scheduled meetings of the commission as provided in sections 84-306.01 to 84-306.05 for state employees.

In the event the Commissioner of Education is unable to attend a commission meeting, the deputy commissioner of education is authorized to act on his or her behalf, and in the event the Chancellor of the University of Nebraska or his or her designee is unable to attend a commission meeting, the vice-chancellor for academic affairs is authorized to act on his or her behalf.

Sec. 162. That section 79-2113, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

79-2113. The Nebraska Educational Television Commission or its designated representatives shall serve as an advisory committee to the Commissioner of Education and the director of instructional television on matters pertaining to instructional television. The members of the advisory committee shall receive no compensation for their services, but may be reimbursed for actual and necessary expenses incurred in attending meetings or incurred in the performance of duties as directed by the Department of Education as provided in sections 84-306.01 to 84-306.05 for state employees.

Sec. 163. That section 79-2203, Revised Statutes Supplement, 1980, be amended to read as follows:

79-2203. (1) Each educational service unit shall be governed by a board to be known as the Board of Educational Service Unit No. The educational service unit board shall consist of one member from each county and four members at large, all of whom shall reside within the geographical boundaries of the educational service unit, but no more than two of the members at large shall be appointed or elected from the same county unless any one county within the educational service unit has a population in excess of one hundred fifty thousand inhabitants or the educational service unit consists of only one county. Successors to the members initially appointed shall be elected for terms of four years. County candidates shall file their written applications with the county clerk or election commission no later than August 1 prior to the general election. Candidates for the position of members at large shall file their written applications with the Secretary of State no later than August 1 prior to the general election. No filing fee shall be required. Vacancies in office shall occur as set forth in section 32-1037. Whenever any vacancy occurs on the board, the remaining members of such board shall appoint an individual residing within the geographical boundaries of the educational service unit to fill such vacancy for the balance of the unexpired term. Members of the board shall receive no compensation for their services but shall be reimbursed for the actual and necessary expenses incurred in the performance of their duties under sections 79-2201 to 79-2212 as provided in sections 84-306.01 to 84-306.05 for state employees.

(2) The provisions of Chapter 32, article 7, shall apply as nearly as may be practicable to proceedings under the provisions of this subsection. Any county which has been excluded from an educational service unit under prior provisions of this section may be readmitted in the manner provided by this section. No later than March 31 prior to any general election petitions may be filed with the Secretary of State seeking such readmission. Such petitions shall be signed by at least twenty per cent of the registered voters in each county. Upon the filing of such petitions, the Secretary of State shall order the question placed on the ballot at the next general election to be held in the county. If a majority of the voters voting on the issue vote for readmission, the county shall be readmitted.

(3) Any local joint school district located in two or more counties shall be considered a part of the educational service unit in which the greater number of school age children of such joint school district reside. All qualified electors of any such joint school district

shall be eligible to hold office as the county representative of the county in which the greater number of school age children reside. Any qualified elector of any joint school district shall be eligible to hold office as the at-large representative if such elector resides within the geographical boundary of the school district comprising the educational service unit.

(4) The administrator of each educational service unit, prior to March 1 of each year in which a state primary election is to be held, shall certify to the county clerk of each county located within the unit the names and numbers of each school district located within the county. If a school district is a joint district located in two or more counties or two or more educational service units, the administrator shall certify to each county clerk the unit or county of which the district is considered to be a part.

Sec. 164. That section 80-101, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

80-101. (1) Each county board shall appoint a county veterans' service committee of five members, such choice to be made from a list of eligible veterans recommended by the recognized veterans organizations within the county. Such list shall contain not less than three names for each appointment to be made.

(2) The terms of office of the members of the county veterans' service committee initially appointed shall expire on June 30 of the years 1948, 1949, 1950, 1951, and 1952, as designated by the county board in making the respective appointments. As the terms of members expire, the county board shall, during the month of June of each year, appoint or reappoint a member of the committee for a term of five years to succeed the member whose term expires. Each member shall serve until the appointment and qualification of a his successor. In case of a vacancy occurring prior to the expiration of the term of a member, the appointment shall be made only for the remainder of the term.

(3) The members of the county veterans' service committee shall organize by the appointment of one of their number as chairman chairperson and one as secretary-treasurer. The secretary-treasurer may be the county veterans' service officer. The county veterans' service officer shall not be a member of the committee. The members of the committee shall qualify by taking the usual oath of office and shall each give bond in the sum of one thousand dollars for the faithful performance of

the duties of his or her office. The premiums for such bonds shall be paid by the county. Members of the committee shall be entitled to the necessary and actual expenses involved in the performance of their official duties, with mileage reimbursements to be computed at the rate provided in section 23-1112 for county officers and employees, which shall be paid out of the county general fund.

Sec. 165. That section 80-305, Revised Statutes Supplement, 1980, be amended to read as follows:

80-305. For the purpose of determining continued eligibility of members to remain in one of the homes, and for the purpose of recommending matters of policy, rules and regulations, administration, and maintenance pertaining to the homes, there is hereby established a special Board of Inquiry and Review composed of the Department Commander of each of the recognized veterans' organizations in Nebraska as defined by section 80-401.01, the Nebraska Department Commander of the United Spanish War Veterans, the Director of the Department of Veterans' Affairs of Nebraska, the immediate past Department Commander of each of the recognized veterans' organizations in Nebraska, as defined by section 80-401.01, and the immediate past Department Commander of the United Spanish War Veterans in Nebraska; provided, that if the immediate past Department Commander of any of these veterans' organizations is unavailable to serve for any reason, then the incumbent Department Commander of such organization shall have the power to appoint some other member of the organization to serve on the Board of Inquiry and Review for the same period of time the immediate past Department Commander would serve, or of representatives of such veterans' organizations or Department of Veterans' Affairs designated by the Department Commander or director thereof. No salary shall be paid to any member of such special board, but actual expenses of the members of the Board of Inquiry and Review when attending regularly called meetings of that board shall be paid as provided in sections 84-306.01 to 84-306.05 for state employees from the administrative funds of the Department of Veterans' Affairs.

Sec. 166. That section 80-401.02, Revised Statutes Supplement, 1980, 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 or she shall be appointed by the Governor, subject to confirmation by the Legislature. No person shall be eligible to receive appointment as director unless he such person has the following qualifications: (1) Resident of the State of Nebraska for at least five years immediately prior to his or her 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 or her 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 the Governor shall present to the Legislature his a recommendation for the office. The director shall receive an annual salary to be fixed by the Governor, payable in equal monthly installments. He or she shall be entitled to the necessary and actual expenses involved in the performance of his or her official duties as provided in sections 84-306.01 to 84-306.05 for state employees. He or she shall be bonded under the blanket surety bond required by section 11-201. The director shall appoint state service officers and assistants, whose appointments shall be approved by the Veterans' Advisory Commission.

Sec. 167. That section 80-401.08, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

80-401.08. The members of the Veterans' Advisory Commission shall annually appoint one of its members as chairman chairperson and one as secretary. The members of the commission shall each qualify by taking and subscribing an oath of office, and giving bond to the State of Nebraska in the penal sum of five thousand dollars, with corporate surety to be approved by the Governor, conditioned for the faithful performance of the duties of his or her office. No member shall receive any salary for his or her services, but each shall be reimbursed for his or her actual and necessary expenses incurred by him or her in performing his or her duties as provided in sections 84-306.01 to 84-306.05 for state employees.

Sec. 168. That section 81-175, Revised Statutes Supplement, 1980, be amended to read as follows:

81-175. The compensation of the members of the task force shall be established by the Governor on a per diem basis, and they shall work the days and hours

required to accomplish the task. Members of the task force shall be reimbursed for their actual and necessary expenses incurred in the performance of their duties in ~~the same manner and to the same extent as are full-time~~ as provided in sections 84-306.01 to 84-306.05 for state employees.

Sec. 169. That section 81-502.02, Revised Statutes Supplement, 1980, be amended to read as follows:

81-502.02. The board shall select from among its members a chairman chairperson and establish rules to govern its procedures. Any vacancy occurring in the board shall be filled in the manner in which original appointments are made. No person shall receive any compensation for services rendered as a member of the board. Each member of the board shall be reimbursed for his or her actual and necessary expenses ~~on--the--same basis and subject to the same conditions as full-time~~ as provided in sections 84-306.01 to 84-306.05 for state employees. The board shall meet at such times and at such places as may be established by its chairman chairperson, but in no case shall the board meet fewer than three times annually. When requested to do so by the State Fire Marshal, it shall be the duty of the board to make a study of the specific problems, questions, or appeals presented to the board. No member of the board shall sit in hearing upon any question in which he such member, or any corporation of which he or she is a shareholder or employee, is a party.

Sec. 170. That section 81-509, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

81-509. (1) The State Fire Marshal, first assistant fire marshal, and deputy state fire marshals shall each have the power in any county of the State of Nebraska to summon and compel the attendance of witnesses before them, or either of them, to testify in relation to any matter which is by the provisions of sections 81-501.01 to 81-531 a subject of inquiry and investigation, and may require the production of any book, paper, or document deemed pertinent thereto by them or either of them. Such summons shall be served in the same manner and have the same effect as subpoenas from district courts. All witnesses shall receive the same compensation as is paid to witnesses in district courts, with mileage to be computed at the rate provided in section 84-306.03 for state employees, which shall be paid out of the fire marshal fund, upon vouchers signed by the State Fire Marshal, first assistant fire marshal, or deputy fire marshal before whom any witnesses shall

have attended, and such officer shall, at the close of the investigation wherein such witness was subpoenaed, certify to the attendance and mileage of such witness, which certificate shall be filed in the office of the State Fire Marshal. All investigations held by or under the direction of the State Fire Marshal, or his or her subordinates, may, in his or her discretion, be private, and persons other than those required to be present by the provisions of said sections may be excluded from the place where such investigation is held, and witnesses may be kept separate and apart from each other and not allowed to communicate with each other until they have been examined. (2) The State Fire Marshal, first assistant state fire marshal, and deputy state fire marshals are each authorized and empowered to administer oaths and affirmations to any persons appearing as witnesses before them; and false swearing in any manner or proceeding aforesaid shall be deemed perjury, and shall be punished as such upon conviction in any court of competent jurisdiction. (3) Any witness who refuses to be sworn, or who refuses to testify, or who disobeys any lawful order of the State Fire Marshal, first assistant state fire marshal, or deputy state fire marshal, in relation to any investigation, or who fails or refuses to produce any paper, book, or document touching any matter under examination, or who is guilty of any contemptuous conduct, after being summoned to appear before the State Fire Marshal, first assistant, or deputy, to give testimony in relation to any matter or subject under examination or investigation as aforesaid, shall be guilty of contempt, and, upon conviction of such contempt before any court of competent jurisdiction, shall be punished as provided by law for contempt of the orders of a district court; Provided, no person shall be compelled to give testimony which might tend to incriminate him or her, or to give testimony which is considered privileged by the laws of the State of Nebraska.

Sec. 171. That section 81-539, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

81-539. The State Fire Marshal, his or her deputies or assistants, may, when requested by the owner of the property, make inspections of new electrical installations in rural areas on farmsteads. A new installation shall mean the first wiring of the buildings on the farmstead to receive electrical current. The fee for such service shall not exceed two dollars and fifty cents and, in addition thereto, mileage at the rate provided in section 84-306.03 for state employees for each mile of--four--cents--per--mile--for--the--distance actually traveled to and from the installation to be

inspected, ~~but the total charge for mileage shall not exceed the sum of four dollars.~~ Inspections of new electrical installations, other than those made by the State Fire Marshal, his or her deputies or assistants, may be made by the electric utility furnishing electric current for such installations, or by other qualified persons, at the expense of the owner, such inspections to comply with the code established by the State Fire Marshal. Inspections of extensions to original installations shall be at the option of the owner and electric utility furnishing current therefor.

Sec. 172. That section 81-804, Revised Statutes Supplement, 1980, be amended to read as follows:

81-804. The members of the Game and Parks Commission, other than the secretary, shall receive no salary, but shall be allowed their necessary traveling and hotel expenses and per diem of thirty-five dollars for days actually away from home on business of the commission, not exceeding forty-five in any one year; Provided, that mileage or other traveling expense claims shall be ~~audited and allowed strictly in accordance with the provisions of section 81-106~~ allowed as provided in sections 84-306.01 to 84-306.05 for state employees.

Sec. 173. That section 81-807, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

81-807. The Game and Parks Commission shall appoint a secretary, who will act as its director and chief conservation officer and be in charge of its activities. He or she shall be a man person with knowledge of, and experience in, the requirements of the protection, propagation, conservation, and restoration of the wildlife resources of the state. The secretary shall serve for a term of six years. The secretary shall not hold any other public office and shall devote his or her entire time to the service of the state in the discharge of his or her official duties. The secretary shall receive such compensation as the commission may determine, and shall be reimbursed for all actual and necessary traveling and other expenses incurred by him or her in the discharge of his or her official duties as provided in sections 84-306.01 to 84-306.05 for state employees. Before entering upon the duties of his or her office, the secretary shall take and subscribe to the constitutional oath of office, and shall, in addition thereto, swear or affirm that he or she holds no other public office, nor any position under any political committee or party. Such oath or affirmation shall be filed in the office of the Secretary of State. Under the

direction of the commission, the secretary shall have general supervision and control of all activities and functions of the commission, and shall enforce all the provisions of the law of the state relating to wild animals, birds, fish, parks, and recreational areas, and shall exercise all necessary powers incident thereto not specifically conferred on the commission. The secretary may be removed by the commission for inefficiency, neglect of duty, or misconduct in office, but only by a majority vote of the commissioners after delivering to said secretary a copy of the charges and affording him or her an opportunity of being publicly heard in person or by counsel in his or her own defense. If the secretary is removed, the commission shall place in its minutes a complete statement of all charges made against the secretary and its findings thereon, together with a complete record of the proceedings and the recorded vote thereon.

Sec. 174. That section 81-814, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

81-814. All funds expended by the Game and Parks Commission shall be paid by the State Treasurer upon warrants drawn by the Director of Administrative Services on vouchers signed by the secretary. No such vouchers shall be issued except upon accounts authorized by the commission in open meeting, ~~;~~ Provided except, that vouchers for mileage or other traveling expense shall be ~~authorized and approved strictly in accordance with the terms and provisions of section 81-106~~ allowed as provided in sections 84-306.01 to 84-306.05 for state employees. The commission shall at the first regular meeting audit all expenditures made since its last regular meeting.

Sec. 175. That section 81-822, Revised Statutes Supplement, 1980, be amended to read as follows:

81-822. The Nebraska Commission on Intergovernmental Cooperation shall report its actions and activities for the past fiscal year to the Governor and to the Clerk of the Legislature within fifteen days after the convening of each regular legislative session, and at such other times as it deems appropriate. Each member of the Legislature shall receive a copy of such report by making a request for it to the commission. Its members, and the members of all delegations and committees which it establishes, shall serve without compensation for such service, but they shall be paid their necessary expenses in carrying out their obligations under sections 81-816 to 81-824 as provided

in sections 84-306.01 to 84-306.05 for state employees. The commission may employ a secretary and a stenographer. It may incur such other expenses as may be necessary for the proper performance of its duties. It may also, by contributions to the Council of State Governments, participate with other states in maintaining the council's district and central secretariats, and its other governmental services.

Sec. 176. That section 81-829.53, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

81-829.53. 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 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~~ sections 84-306.01 to 84-306.05 for state employees.

Sec. 177. That section 81-829.54, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

81-829.54. (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 as provided in sections 84-306.01 to 84-306.05 for state employees, (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 State Purchasing Officer.

Sec. 178. That section 81-842, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

81-842. Each member of the Board of Examiners for Professional Engineers and Architects shall be a citizen of the United States, not less than thirty-five years of age, and a resident of the State of Nebraska for at least one year immediately preceding his or her appointment. Each member shall have been engaged in the active practice of engineering or architecture for at least ten years and shall have had responsible charge of work for at least five years at the time of his or her appointment. Each member shall be a registered professional engineer or architect. Each member of the board shall receive as compensation not more than forty dollars per day for each day actually spent in traveling to and from and while attending sessions of the board and its committees, authorized meetings of the National Council of Engineering Examiners or its subdivisions or its committees, and authorized meetings of the National Council of Architectural Registration Boards or its subdivisions or its committees, and each member shall also receive all necessary expenses incident to the performance of his or her duties under sections 81-839 to 81-856 as provided in sections 84-306.01 to 84-306.05 for state employees.

Sec. 179. That section 81-885.27, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

81-885.27. In the preparation and conducting of the hearing, the director shall have power to issue and sign subpoenas to require the attendance and testimony of any witness and the production of any papers, books, or documents. The ~~chairman~~ chairperson or any member of the commission may administer oaths, examine the witnesses, and take any evidence he or she deems pertinent to the determination of the charges. Any witness subpoenaed shall be entitled to the same fees ~~and~~ and-- mileage as prescribed by law in judicial proceedings in the district courts of this state in civil actions and mileage at the

rate provided in section 84-306.03 for state employees, but the payment of such fees and mileage shall be paid out of and kept within the limits of the funds created from license fees. The party against whom such charges may be filed shall have the right to obtain from the director a subpoena for any witnesses which he or she may desire at such hearing. Depositions may also be taken and used as in civil cases in the district courts.

Sec. 180. That section 81-8,110.11, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

81-8,110.11. Each member of the examining board shall receive, when authorized, all necessary travel, meals, and lodging expenses incidental to the performance of his or her official duties or while attending national meetings or seminars as the official representative of the examining board as provided in sections 84-306.01 to 84-306.05 for state employees.

Sec. 181. That section 81-8,116, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

81-8,116. Such examination shall be taken before a committee composed of not less than three qualified land surveyors to be designated by the board. Each member of the examining committee shall receive when authorized all necessary travel, meals, and lodging expenses incidental to the performance of the duties required under this section as provided in sections 84-306.01 to 84-306.05 for state employees. Such committee shall certify to the board whether or not an applicant has satisfactorily passed such examination.

Sec. 182. That section 81-8,163, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

81-8,163. Each member of the board shall receive the sum of fifteen dollars for each meeting of the board attended by him or her but not to exceed the total sum of one hundred eighty dollars per annum. Each board member shall also be reimbursed for his or her actual travel and other expenses incurred by him or her in attending each meeting of the board and in performing any other duties provided for in sections 81-8,158 to 81-8,183 as provided in sections 84-306.01 to 84-306.05 for state employees.

Sec. 183. That section 81-8,189, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

81-8,189.. Members of the board shall serve without compensation except that they shall receive the necessary travel and incidental expenses incurred in the discharge of their duties prescribed in sections 81-8,184 to 81-8,203 as provided in sections 84-306.01 to 84-306.05 for state employees.

Sec. 184.. That section 81-8,191, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

81-8,191. The board shall be entitled to the counsel and to the services of the Attorney General and shall have power to compel the attendance of witnesses, pay witness fees and mileage as provided in section 84-306.03 for state employees, and may take testimony and proofs and may administer oaths concerning any matter within its jurisdiction.

Sec. 185.. That section 81-8,220, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

81-8,220. The Lieutenant Governor, the State Treasurer, and the Auditor of Public Accounts shall constitute the State Claims Board. The Lieutenant Governor shall be chairman chairperson of the board, and the Attorney General shall be its legal advisor. The board shall appoint a secretary and such additional administrative personnel as it deems necessary. The members of the board shall receive no compensation for their services, except that provided by law for the offices they hold, but they shall be allowed necessary traveling expenses, in performing the duties imposed by this act as provided in sections 84-306.01 to 84-306.05 for state employees.

Sec. 186.. That section 81-8,267, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

81-8,267.. Members shall receive thirty-five dollars per day for each day spent in the performance of their official duties. Members shall receive reimbursement for actual and necessary expenses ~~on--the same--basis--and--subject--to--the--same--conditions--as full-time~~ as provided in sections 84-306.01 to 84-306.05 for state employees.

Sec. 187.. That section 81-8,272, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

81-8,272. There is hereby established a commission to be known as the Nebraska American Revolution Bicentennial Commission, hereinafter referred to as the commission, for the purpose of planning, encouraging, developing, and coordinating the commemoration of the American Revolution and the bicentennial of the United States of America. Such commission shall consist of fifteen members to be appointed by the Governor for terms of six years. The commission shall include members from all regions of the state representing all major interests. Not more than eight of such members shall be from the same political party. The members shall receive no salary, but shall be paid their actual expenses while away from home engaged in the duties of the commission as provided in sections 84-306.01 to 84-306.05 for state employees. The Governor shall fill all vacancies by appointment of a new member or by reappointment of a member.

Sec. 188. That section 81-8,285, Revised Statutes Supplement, 1980, be amended to read as follows:

81-8,285. (1) The commission may, upon its own motion, and shall, upon the written complaint of any aggrieved person, investigate the action of any licensed real estate appraiser and shall have the power to suspend or revoke any license issued under the provisions of sections 81-8,276 to 81-8,287 at any time when, after notice and hearing as provided for in this section, it finds that such licensee has made any false statement in his or her application for a real estate appraiser's license, knowingly violated any of the provisions of sections 81-8,276 to 81-8,287 or regulations of the commission, or has done any act which constitutes dishonest, fraudulent, or improper conduct.

(2) (a) If a public hearing is requested by an applicant in accordance with section 81-8,283, or if information brought to the attention of the commission is such that, in the commission's discretion, it would be proper to suspend or revoke the license of a licensee, the commission shall forthwith set the matter for hearing and, at least twenty days prior to the hearing date, it shall notify in writing the applicant or licensee of the reasons for the denial or of the charges made and shall afford such applicant or licensee an opportunity to be heard in person or through counsel in reference thereto. Such written notice shall be served by delivery of same personally to the applicant or license holder or by mailing the same by registered mail to the last-known business address of such applicant or license holder. The hearing on such charges shall be at such time and place as the commission shall prescribe; Provided, that

in cases involving revocation of the license of a nonresident of this state licensed under sections 81-8,276 to 81-8,287 by the real estate commission of the state or district in which such nonresident licensee is a resident, or when there is a conviction by a court of competent jurisdiction of any licensee under sections 81-8,276 to 81-8,287 which constitutes a violation of sections 81-8,276 to 81-8,287 or similar act of another state and the order of such commission or court of competent jurisdiction is certified to the commission, any nonresident real estate license may be revoked by the commission without hearing. Any member of the commission or its director shall have power to administer oaths and to subpoena and bring before the commission any person in this state or take testimony of any such person by deposition upon allowance of fees ~~and mileage~~ as in civil cases in district court and mileage as provided in section 84-306.03 for state employees. Any party to any hearing before the commission shall have the right to the attendance of witnesses in his or her behalf at such hearing upon making request therefor to the commission and designating the person or persons to be subpoenaed.

(b) Any subpoena so issued shall be served by the county sheriff or his or her deputies. Nonresidents may be served by registered mail. If any witness so subpoenaed shall refuse or neglect to attend, or attending, refuse to testify, such official issuing the subpoena shall report the fact to the appropriate court and such court shall proceed against such witness in all respects as if such neglect or refusal had been by a witness subpoenaed to appear in such court in a case pending before it.

(c) After such hearing, the commission shall state in writing, officially signed by the chairman chairperson and attested to by the director, its findings and determination and its order in the matter. If the commission shall determine that the license holder has been guilty of any violation of the provisions of sections 81-8,276 to 81-8,287, his or her license shall be revoked or suspended forthwith, or the commission may enter an order censoring the license holder. The execution of a penalty of suspension may be stayed by the commission and the licensee may be placed on probation for any portion of the suspension period, after satisfactory completion of which the license shall be fully reinstated.

Within ten days after an order of the commission has become final, the applicant for a license or a license holder may obtain judicial review thereof by serving upon the director a written notice of appeal and

a demand in writing for certified transcript of all the papers on file in his or her office affecting or relating to such order, together with a transcript of the evidence and the payment of the fee therefor, and he or she shall, within thirty days from the entry of such order, file a petition for review in the district court for the county where the cause of action or some part thereof arose, together with a bond to the State of Nebraska in the sum of two hundred dollars, with sufficient surety to be approved by the clerk of the district court to which such appeal is taken and conditioned that the applicant for a license or license holder shall pay all costs taxed against him or her which may accrue to the commission by reason of taking such appeal. In lieu of such bond, a cash deposit of two hundred dollars may be made with the clerk for the same purpose. The petition for review need not be verified but shall state the grounds upon which such review is sought. The commission shall be deemed to be a party to any such review proceedings. The petition for review shall be served upon the director by leaving with him or her a copy of the petition and the commission shall file its answer within ten days from the date of service of the petition for review.

In any judicial proceeding under sections 81-8,276 to 81-8,287, the court shall consider the matter de novo upon the record. The court may on its own motion order additional evidence to be taken before it. In addition, any party to such review may offer additional evidence before the court if such party shall have served written notice of such offer on the other parties at least ten days prior to the hearing. Such notice shall set out the nature of the evidence which he or she so desires to offer and the names of the witnesses whom he or she intends to call. In such event the other parties may without advance notice offer evidence in rebuttal. Such proceedings shall be heard in a summary manner.

(d) Whenever the commission revokes the license of any person, and no appeal to the proper court has been filed within the time specified for such appeals, the commission shall mail a written notice of such revocation to all real estate appraisers licensed under sections 81-8,276 to 81-8,287.

(e) When the license of a nonresident is so suspended or revoked, the commission shall also send written notice, stating the cause for such revocation or suspension, to the real estate commission or licensing authority in the state or district of which such nonresident licensee is a resident.

(3) Grounds for suspension or revocation shall be:

(a) Proof that the licensee is doing business in violation of sections 81-8,276 to 81-8,287;

(b) Proof that the license has been obtained by fraud or misrepresentation;

(c) Proof that the licensee is falsely impersonating a practitioner or is practicing under an assumed, fictitious, or corporate name;

(d) Proof that the licensee has been found guilty of a felony;

(e) Proof that the licensee is guilty of perjury, fraud, deceit, or of gross negligence, incompetency, or misconduct in the practice of real property appraising;

(f) Proof that the licensee permitted his or her signature to be affixed to any appraisal report if such report was not prepared by him or her or under his or her personal supervision by his or her regularly employed subordinates;

(g) Proof that the licensee accepted an engagement to appraise a property where his or her employment or fee is contingent upon his or her reporting a predetermined or specified value, or is otherwise contingent upon a finding to be reported;

(h) In cases when monetary damages are involved, the licensee has made his or her compensation contingent upon the amount of or as a percentage of the damages which may be agreed upon or finally decreed; or

(i) For other causes that the commission may deem proper.

Sec. 189. That section 81-1108.32, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

81-1108.32. There is hereby created a State Building Advisory Commission to consist of the Governor, the Director-State Engineer, the Director of Administrative Services or his or her authorized representative, and three other residents of the State of Nebraska to be appointed by the Governor. The terms of the present members shall expire on March 1, 1966, March 1, 1967, and March 1, 1968 as designated by the Governor. As the terms of the members expire, the Governor shall,

on or before March 1 of each year, appoint or reappoint a member of the commission for a term of three years to succeed the member whose term expires. The members of such commission shall receive no salary but shall be paid their actual ~~hotel-and-traveling~~ expenses while away from home engaged in the performance of their duties as members of such commission as provided in sections 84-306.01 to 84-306.05 for state employees.

Sec. 190. That section 81-1120.18, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

81-1120.18.. There is hereby established a State Communications Advisory Board which shall consist of the Adjutant General, the Director-State Engineer, the chief officer of the Nebraska State Patrol, the secretary of the Game and Parks Commission, the secretary of the Nebraska Educational Television Commission, the Director of Administrative Services, the Executive Director of the Nebraska Commission on Law Enforcement and Criminal Justice, a member of the Public Service Commission, and the Director of Aeronautics. The Director of Administrative Services shall serve as chairman chairperson of such board. The board shall meet at least four times a year or upon call of the chairman chairperson or any two members of the board. The board shall keep a record of its proceedings which shall be open to the public for inspection and be published in such manner as the board shall determine so as to bring, as far as practicable, any action of the board to the attention of all persons affected thereby. A copy of such proceedings shall be filed with the Legislative Council and the Governor. The board shall provide advice in the development, management, administration, and operation of a consolidated communications system to meet the communications requirements of all departments and agencies of state government. Board members shall receive no compensation for duties performed as members of the board, but shall be reimbursed for actual expenses incurred while engaged in the performance of their duties under the provisions of this act as provided in sections 84-306.01 to 84-306.05 for state employees.

Sec. 191. That section 81-1218, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

81-1218. The members of the commission shall each receive thirty-five dollars for each day spent in the performance of their duties, and shall receive reimbursement for any actual expenses incurred as a necessary incidence to such service as provided in

sections 84-306.01 to 84-306.05 for state employees.

Sec. 192. That section 81-1241, Revised Statutes Supplement, 1980, be amended to read as follows:

81-1241. The members of the committee shall serve without compensation but may be reimbursed for their actual and necessary traveling expenses ~~on the same basis and subject to the same conditions as full-time~~ as provided in sections 84-306.01 to 84-306.05 for state employees.

Sec. 193. That section 81-1409, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

81-1409. The members of the council shall serve without compensation, but they shall be entitled to receive reimbursement for any actual expenses incurred as a necessary incident to such service as provided in sections 84-306.01 to 84-306.05 for state employees.

Sec. 194. That section 81-1421, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

81-1421. The members of the commission shall serve without compensation, but they shall be entitled to receive reimbursement for any actual expenses incurred as necessary incident to such service as provided in sections 84-306.01 to 84-306.05 for state employees.

Sec. 195. That section 81-1503, Revised Statutes Supplement, 1980, be amended to read as follows:

81-1503. (1) The Environmental Control Council is hereby created. The council shall consist of sixteen members to be appointed by the Governor with the advice and consent of the Legislature as follows: One representative of the food products manufacturing industry, one representative of conservation, one representative of the agricultural processing industry, one representative of the automotive or petroleum industry, one representative of the chemical industry, one representative of heavy industry, one representative of the power generating industry, one representative of agriculture actively engaged in crop production, one representative of labor, one professional engineer experienced in control of air and water pollution and solid wastes, one physician knowledgeable in the health aspects of air, water, and land pollution, one representative from county government, two representatives from municipal government, one of whom

shall represent cities other than those of the primary or metropolitan class, one representative of the livestock industry, and one representative of the public at large.

(2) Within thirty days after May 26, 1971, the Governor shall appoint the initial sixteen members to be appointed by him or her. Members shall serve for terms of four years, except that of the members first appointed, eight shall be appointed for terms of two years and eight shall be appointed for terms of four years. All appointments shall be subject to confirmation by the Legislature when initially made. As the terms of the initial appointees to the council expire, succeeding appointees shall be representatives of the same segment of the public as the previous appointee, and such successors shall be appointed to four-year terms, except appointees to vacancies occurring from unexpired terms, in which case the successor shall serve out the term of his or her predecessor. Members whose terms have expired shall continue to serve until their successors have been appointed. All members shall be citizens and residents of the State of Nebraska.

(3) Members may be removed by the Governor for inefficiency, neglect of duty, or misconduct in office, but only after delivering to the member a copy of the charges and affording him or her an opportunity to be publicly heard in person, or by counsel, in his or her own defense, upon not less than ten days' notice. Such hearing shall be held before the Governor. When a member is removed, the Governor shall file, in the office of the Secretary of State, a complete statement of all charges made against such member and the findings thereon, together with a complete record of the proceedings.

(4) The council shall elect from its members a chairman chairperson and a vice-chairman vice-chairperson, who shall hold office at the pleasure of the council. The vice-chairman vice-chairperson shall serve as chairman chairperson in case of the absence or disability of the chairman chairperson. The director shall serve as secretary of the council and shall keep all records of meetings of and actions taken by the council. He or she shall be promptly advised as to such actions by the chairman chairperson.

(5) The members of the council, while engaged in the performance of their official duties, shall receive compensation at the rate of forty dollars per day while so serving, including travel time. In addition, members of the council shall receive reimbursement for actual and necessary expenses ~~on the same basis and subject to the same conditions as full-time~~ as provided in sections

84-306.01 to 84-306.05 for state employees.

(6) The council shall hold at least four meetings, once each calendar quarter at a time and place fixed by the council and shall keep a record of its proceedings, which shall be open to the public for inspection. Special meetings may be called by the chairman chairperson. Such special meetings must be called by him or her upon receipt of a written request signed by two or more members of the council. Written notice of the time and place of all meetings shall be mailed in advance to the office of each member of the council by the secretary. The majority of the members of the council shall constitute a quorum.

(7) The council shall submit to the Governor a list of names from which he or she shall appoint the Director of Environmental Control, who shall be experienced in air, water, and land pollution control, and who may be otherwise an employee of the state government. The director shall be responsible for administration of the department and all standards, rules, and regulations adopted pursuant to Chapter 81, article 15. All such standards, rules, and regulations shall be adopted by the council, after consideration of the recommendations of the director. All grants to political subdivisions under the control of the department shall be made by the director in accordance with priorities established by the council. A majority of the members of the council shall constitute a quorum for the transaction of business. The affirmative vote of a majority of all members of the council shall be necessary for the adoption of standards, rules, and regulations.

(8) Before the director shall enter upon the duties of his or her office, he or she shall take and subscribe to the constitutional oath of office, and shall, in addition thereto, swear and affirm that he or she holds no other public office nor any position under any political committee or party and that he or she has not during the two years immediately prior to his or her appointment received a significant portion of his or her income directly or indirectly from permitholders or applicants for a permit under the provisions of sections 81-1501 to 81-1532 and that he or she will not receive such income during his or her term as director. Such oath and affirmation shall be filed with the Secretary of State.

Sec. 196.. That section 81-1504, Revised Statutes Supplement, 1980, be amended to read as follows:

81-1504. The department shall have and may exercise the following powers and duties:

(1) To exercise exclusive general supervision of the administration and enforcement of the provisions of sections 81-1501 to 81-1533 and 81-1521.01 to 81-1521.06, and all rules and regulations and orders promulgated thereunder;

(2) To develop comprehensive programs for the prevention, control, and abatement of new or existing pollution of the air, waters, and land of the state;

(3) To advise, consult, cooperate, and contract with other agencies of the state, the federal government, other states and interstate agencies, and with affected groups, political subdivisions, and industries in furtherance of the purposes of sections 81-1501 to 81-1533 and 81-1521.01 to 81-1521.06;

(4) To act as the state water pollution, air pollution, and solid waste pollution control agency for all purposes of the federal Clean Water Act, 33 U.S.C. 1251 et seq., the Clean Air Act, as amended, 42 U.S.C. 7401 et seq., the Resource Conservation and Recovery Act, as amended, 42 U.S.C. 6901 et seq., and any other federal legislation pertaining to loans or grants for environmental protection and from other sources, public or private, for carrying out any of its functions, which loans and grants shall not be expended for other than the purposes for which provided;

(5) To encourage, participate in, or conduct studies, investigations, research, and demonstrations relating to air, land, and water pollution and causes and effects, prevention, control, and abatement thereof as it may deem advisable and necessary for the discharge of its duties under sections 81-1501 to 81-1533 and 81-1521.01 to 81-1521.06, using its own staff or by using private research organizations under contract;

(6) To collect and disseminate information and conduct educational and training programs relating to air, water, and land pollution and the prevention, control, and abatement thereof;

(7) To issue, modify, or revoke orders: (a) Prohibiting or abating discharges of wastes into the air, waters, or land of the state; and (b) requiring the construction of new disposal systems or any parts thereof or the modification, extension of or the adoption of other remedial measures to prevent, control, or abate pollution;

(8) To administer state grants to political subdivisions for solid waste disposal facilities and for the construction of sewage treatment works and facilities to dispose of water treatment plant wastes;

(9) To (a) hold such hearings and give notice thereof, (b) issue such subpoenas requiring the attendance of such witnesses and the production of such evidence, (c) administer such oaths, and (d) take such testimony as the director deems necessary, and any of these powers may be exercised on behalf of the director by a hearing officer designated by him or her;

(10) To require submission of plans, specifications, and other data relative to, and to inspect construction of, disposal systems or any part thereof prior to issuance of such permits or approvals as are required by sections 81-1501 to 81-1533 and 81-1521.01 to 81-1521.06;

(11) To issue, continue in effect, revoke, modify, or deny permits, under such conditions as the director may prescribe, consistent with the standards, rules, and regulations adopted by the council, to prevent, control, or abate pollution, or for the discharge of wastes into the air, land, or waters of the state, and for the installation, modification, or operation of disposal systems or any parts thereof;

(12) To require proper maintenance and operation of disposal systems;

(13) To exercise all incidental powers necessary to carry out the purposes of sections 81-1501 to 81-1533 and 81-1521.01 to 81-1521.06;

(14) To establish bureaus, divisions, or sections for the control of air pollution, water pollution, and solid wastes, to be administered by full-time salaried bureau, division or section chiefs, and to delegate and assign to each such bureau, division, or section and the officers and employees therein, the duties and powers granted to the department for the enforcement of the provisions of Chapter 81, article 15, and the standards, rules, and regulations adopted pursuant thereto;

(15) To require access to existing and available records relating to or monitoring of emissions or discharges which cause or contribute to air, land, or water pollution;

(16) To obtain such scientific, technical, administrative, and operational services including

laboratory facilities, by contract or otherwise, as the director deems necessary;

(17) To encourage voluntary cooperation by persons and affected groups to achieve the purposes of sections 81-1501 to 81-1533 and 81-1521.01 to 81-1521.06;

(18) To encourage local units of government to handle air, land, and water pollution problems within their respective jurisdictions and on a cooperative basis, and to provide technical and consultative assistance therefor;

(19) To consult, upon the request of any person proposing to construct, install, or otherwise acquire an air, land, or water contaminant source or device or system for control thereof, with such person concerning the efficacy of such device or system, or the air, land, or water pollution problem which may be related to the source, device, or system. Nothing in any such consultation shall be construed to relieve any person from compliance with sections 81-1501 to 81-1533 and 81-1521.01 to 81-1521.06, rules and regulations in force pursuant thereto, or any other provision of law;

(20) To require all persons engaged or desiring to engage in operations which result or which may result in air, water, or land pollution to secure a permit prior to installation or operation or continued operation;

(21) To enter and inspect, during reasonable hours, any building or place, except a building designed for and used exclusively for a private residence;

(22) To receive or initiate complaints of air, water, or land pollution, hold hearings in connection with air, water, or land pollution and institute legal proceedings in the name of the state for the control or prevention of air, water, or land pollution and for the recovery of penalties, in accordance with sections 81-1501 to 81-1533;

(23) To delegate, by contract with governmental subdivisions which have adopted local air, water, or land pollution control programs approved by the council, the enforcement of state-adopted air, water, or land pollution control regulations within a specified region surrounding the jurisdictional area of the governmental subdivisions; Provided, prosecutions commenced under such contracts are conducted by the Attorney General or county attorneys as provided in sections 81-1501 to 81-1533;

(24) To conduct tests and take samples of air, water, or land contaminants, fuel, process materials, or any other substance which affects or may affect discharges or emissions of air, water, or land contaminants from any source, giving the owner or operator a receipt for the sample obtained;

(25) To develop and enforce compliance schedules under such conditions as the director may prescribe, consistent with the standards, rules, and regulations adopted by the council, to prevent, control, or abate pollution;

(26) To employ the Governor's Keep Nebraska Beautiful Committee for such special occasions and projects as the department may decide and reimbursement of the committee shall be made from state and appropriate federal matching funds for each assignment of work by the department as provided in sections 84-306.01 to 84-306.05 for state employees;

(27) To require the owners or operators of a major new or modified stationary air pollution source under the Clean Air Act, as amended, 42 U.S.C. 7401 et seq., to pay a permit fee when the application therefor cannot be processed in a routine manner. Such fee shall not exceed the cost of the engineering review, any public hearings held, and any other nonroutine expenses in connection with the issuance or denial of such permit;

(28) To provide, to the extent determined by the council to be necessary and practicable, for area-wide, selective, and periodic inspection and testing of motor vehicles to secure compliance with applicable exhaust emission standards for a fee not to exceed five dollars to offset the cost of inspection; and

(29) To enforce, when it is not feasible to prescribe or enforce any emission standard for control of air pollutants, the use of a design, equipment, a work practice, or an operational standard, or combination thereof, which is adequate to protect the public health from such pollutant or pollutants with an ample margin of safety.

Sec. 197. That section 81-1507, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

81-1507. (1) Whenever the director has reason to believe that a violation of any provision of sections 81-1501 to 81-1532 or regulation or of any order of the department has occurred he or she may cause a written

complaint to be served upon the alleged violator or violators. The complaint shall specify the provision of sections 81-1501 to 81-1532 or regulation or order alleged to be violated and the facts alleged to constitute a violation thereof, and shall order that necessary corrective action be taken within a reasonable time to be prescribed in such order. Any such order shall become final unless each person named therein requests in writing a hearing before the director no later than thirty days after the date such order is served. In lieu of such order, the director may require that the alleged violator appear before the director at a time and place specified in the notice and answer the charges complained of. The notice shall be delivered to the alleged violator or violators in accordance with the provisions of subsection (5) of this section not less than thirty days before the time set for the hearing.

(2) The director shall afford an opportunity for a fair hearing, in accordance with the provisions of sections 81-1501 to 81-1532, to the alleged violator or violators at the time and place specified in the notice or any modification thereof. On the basis of the evidence produced at the hearing the director or hearing officer shall make findings of fact and conclusions of law and enter such order as in his or her opinion will best further the purposes of sections 81-1501 to 81-1532 and shall give written notice of such order to the alleged violator and to such other persons as shall have appeared at the hearing and made written request for notice of the order. If the hearing is held before any person other than the director, such person shall transmit a record of the hearing together with findings of fact and conclusions of law to the director. The director, prior to entering his or her order on the basis of such record, shall provide opportunity to the parties to submit for his or her consideration exceptions to the findings or conclusions and supporting reasons for such exceptions. The order of the director shall become final and binding on all parties unless appealed to the courts as provided in sections 81-1501 to 81-1532 within thirty days after notice has been sent to the parties.

(3) Any person who is denied a permit by the director or who has such permit revoked or modified shall be afforded an opportunity for a fair hearing as provided in subsection (2) of this section in connection therewith upon written application to the director within thirty days after receipt of notice from the director of such denial, revocation, or modification. On the basis of such hearing the director shall affirm, modify, or revoke its previous determination.

(4) Whenever the director finds that an emergency exists requiring immediate action to protect the public health and welfare, the director may without notice or hearing, issue an order reciting the existence of such an emergency and requiring that such action be taken as the director deems necessary to meet the emergency. Notwithstanding the provisions of subsection (2) of this section, such order shall be effective immediately. Any person to whom such order is directed shall comply therewith immediately but on application to the director shall be afforded a hearing as soon as possible, and not later than ten days after such application by such affected person. On the basis of such hearing the director shall continue such order in effect, revoke it, or modify it.

(5) Except as otherwise expressly provided, any notice, order, or other instrument issued by or under authority of the director may be served on any person affected thereby personally or by publication, and proof of such service may be made in like manner as in case of service of a summons in a civil action, such proof to be filed in the office of the department; or such service may be made by mailing a copy of the notice, order, or other instrument by certified or registered mail, directed to the person affected at his or her last-known post-office address as shown by the files or records of the department, and proof thereof may be made by the affidavit of the person who did the mailing, filed in the office of the department.

Every certificate or affidavit of service made and filed as provided in this section shall be prima facie evidence of the facts therein stated, and a certified copy thereof shall have like force and effect.

(6) The hearings provided for in this section may be conducted by the director, or by any member of the department acting in his or her behalf, or the director may designate hearing officers who shall have the power and authority to conduct such hearings in the name of the director at any time and place. A verbatim record of the proceedings of such hearings shall be taken and filed with the director, together with findings of fact and conclusions of law made by the director or hearing officer. Witnesses who are subpoenaed shall receive the same fees and mileage as in civil actions in the district court and mileage as provided in section 84-306.03 for state employees. In case of contumacy or refusal to obey a notice of hearing or subpoena issued under the provisions of this section, the district court shall have jurisdiction, upon application of the director, to issue an order requiring such person to appear and testify or

produce evidence as the case may require and any failure to obey such order of the court may be punished by such court as contempt thereof.

If requested to do so by any party concerned with such hearing, the full stenographic notes, or tapes of an electronic transcribing device, of the testimony presented at such hearing shall be taken and filed. The stenographer shall, upon the payment of the stenographer's fee allowed by the court therefor, furnish a certified transcript of the whole or any part of the stenographer's notes to any party to the action requiring and requesting the same.

Sec. 198. That section 81-1603, Revised Statutes Supplement, 1980, be amended to read as follows:

81-1603. The office shall have the power to do such things as are necessary to carry out sections 81-1601 to 81-1605, including but not limited to the following:

(1) To adopt rules and regulations, pursuant to Chapter 84, article 9, to carry out the purposes of sections 81-1601 to 81-1605;

(2) To make all contracts pursuant to sections 81-1601 to 81-1605 and do all things to cooperate with the federal government, and to qualify for, accept, expend, and dispense public or private funds intended for the implementation of sections 81-1601 to 81-1605;

(3) To contract for services, if such work or services cannot be satisfactorily performed by employees of the agency or by any other part of state government;

(4) To enter into such agreements as are necessary to carry out energy research and development with other states;

(5) To carry out the duties and responsibilities relating to energy as may be requested or required of the state by the federal government;

(6) To cooperate and participate with the approval of the Governor in the activities of organizations of states relating to the availability, conservation, development, and distribution of energy;

(7) To engage in such activities as will seek to insure that the State of Nebraska and its citizens receive an equitable share of energy supplies at a fair price; and

(8) To form advisory committees of citizens of Nebraska to advise the director of the energy office on programs and policies relating to energy and to assist in implementing such programs. Such committees shall be of a temporary nature and no member shall receive any compensation for serving on any such committee but, with the approval of the Governor, members shall receive reimbursement for actual and necessary expenses ~~on the same basis and subject to the same conditions as~~ full-time as provided in sections 84-306.01 to 84-306.05 for state employees. The minutes of meetings of and actions taken by each committee shall be kept and a record shall be maintained of the name, address, and occupation or vocation of every individual serving on any committee. Such minutes and records shall be maintained in the State Energy Office and shall be available for public inspection during regular office hours.

Sec. 199. That section 81-1805, Revised Statutes Supplement, 1980, be amended to read as follows:

81-1805. The members of the board shall be paid a per diem of one hundred dollars for each day actually and necessarily engaged in the performance of their duties as members of such board. In addition, members of the board shall receive reimbursement for actual and necessary expenses ~~on the same basis and subject to the same conditions as~~ full-time as provided in sections 84-306.01 to 84-306.05 for state employees.

Sec. 200. That section 82-310, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

82-310. The term of office of each member shall be three years with the terms of one-third of the members expiring every year. No member of the council who serves two consecutive three-year periods shall be eligible for reappointment during a one-year period following the expiration of his or her term. The Governor shall designate a chairman chairperson and a vice-chairman vice-chairperson from the members of the council, to serve as such at the pleasure of the Governor. The chairman chairperson shall be the chief executive officer of the council. All vacancies shall be filled for the balance of the unexpired term in the same manner as original appointments are made. The members of the council shall not receive any compensation for their services but shall be reimbursed for their actual and necessary expenses incurred in the performance of their duties as provided in sections 84-306.01 to 84-306.05 for state employees.

Sec. 201. That section 83-101.06, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

83-101.06. There is hereby created an advisory committee to the Department of Public Institutions. The committee shall consist of the same members as provided for the Department of Public Welfare, and shall have the same terms of office, receive the same compensation, and be reimbursed their actual and necessary expenses as provided in sections 84-306.01 to 84-306.05 for state employees. The Department of Public Institutions shall budget and share equally with the Department of Public Welfare an amount of committee expenses as provided in section 68-702.01. The members of the committee may be removed by the Governor for cause, but only after delivering to the member a statement of the charges and giving him the member an opportunity to be heard.

Sec. 202. That section 83-195, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

83-195. In the performance of its duties, the Board of Parole, or any member thereof, shall have the power to issue subpoenas, compel the attendance of witnesses, and the production of books, papers, and other documents pertinent to the subject of an inquiry, and to administer oaths and to take the testimony of persons under oath. Subpoenas so issued may be served by any sheriff, constable, police officer, parole officer, or peace officer, in the same manner as similar process in the district court. Any person who knowingly testifies falsely, submits any false affidavit or deposition, fails to appear when subpoenaed, or fails or refuses to produce such material pursuant to the subpoena, shall be subject to the same orders and penalties to which a person before the district court is subject. Any district court of this state, upon application by the board, may compel the attendance of such witnesses, the production of such material, and the giving of testimony before the board, by an attachment for contempt or otherwise in the same manner as production of evidence may be compelled before such court. Every person shall attend as a witness when subpoenaed anywhere within the state, and shall be entitled to the same fees, ~~and mileage,~~ if claimed, as a witness in the district court and mileage as provided in section 84-306.03 for state employees. Fees, mileage, and actual expense, if any, necessarily incurred in securing the attendance of witnesses shall be paid by the board.

Sec. 203. That section 83-1,128, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

83-1,128. In the performance of official duties, the Board of Pardons or any member thereof shall have the power to issue subpoenas, compel the attendance of witnesses, and the production of books, papers, and other documents pertinent to the subject of an inquiry, and to administer oaths and to take the testimony of persons under oath. Subpoenas so issued may be served by any sheriff, constable, police officer, parole officer, or peace officer, in the same manner as similar process in the district court. Any person who knowingly testifies falsely, submits any false affidavit or deposition, fails to appear when subpoenaed, or fails or refuses to produce such material pursuant to the subpoena, shall be subject to the same orders and penalties to which a person before the district court is subject. Any district court of this state, upon application by the board, may compel the attendance of such witnesses, the production of such material, and the giving of testimony before the board, by an attachment for contempt or otherwise in the same manner as production of evidence may be compelled before such court. Every person shall attend as a witness when subpoenaed anywhere within the state, and shall be entitled to the same fees, and mileage, if claimed, as a witness in the district court and mileage as provided in section 84-306.03 for state employees. Fees, mileage, and actual expense, if any, necessarily incurred in securing the attendance of witnesses shall be paid by the board.

Sec. 204. That section 83-1,141, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

83-1,141. (1) It is hereby declared to be the public policy of the State of Nebraska that a pattern of facilities, programs, and services should be available to meet the needs of each mentally retarded person so that a mentally retarded person may have access to facilities, programs, and services best suited to ~~them~~ such person throughout the life of the mentally retarded person. The complexities of mental retardation require a coordination of the facilities, programs, and services of the various agencies of the State of Nebraska and those of the communities. Programs and facilities should be planned and provided as part of a continuum of service to mentally retarded persons.

(2) The Department of Public Institutions shall establish and staff an office of mental retardation and

appoint a director for such office.

(3) The purposes of the office of mental retardation shall be to assist in the establishment and operation of community-based facilities, programs, and services for the comprehensive diagnosis, habilitation, care, training, transitional living, and recreation of persons throughout this state who suffer from mental retardation and related disorders, to provide consultative services throughout the state for mentally retarded persons and their families, and to provide for a continued assessment of current facilities, programs, and services and future needs with respect thereto.

(4) There is hereby created an advisory committee to the office of mental retardation, which committee shall consist of seven persons appointed by the Governor. No more than three members shall be professionals in the field of mental retardation, and at least four members shall be lay citizens, one of whom shall be appointed from each of the four congressional districts as they existed on January 1, 1961. Of the initial members, three shall serve for three years, two for two years, and two for one year, as designated by the Governor in making the appointments. As the terms of initial members expire, their successors shall be appointed for terms of three years. Members shall be reimbursed for actual and necessary expenses incurred in carrying out their duties, ~~and reimbursement for mileage expense shall be at the rate of eight cents per mile~~ as provided in sections 84-306.01 to 84-306.05 for state employees.

(5) All departments of government which directly or indirectly have responsibilities in the area of care, treatment, custody, and diagnosis of the mentally retarded shall cooperate with the office of mental retardation by giving advice and assistance, if requested.

Sec. 205. That section 83-211.02, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

83-211.02. (1) There is hereby created an advisory committee to the Department of Public Institutions to aid in providing services for the visually impaired. The committee shall consist of nine members, who shall be appointed by the Governor. Three members shall be appointed for a term of one year, three members for a term of two years, and three members for a term of three years with the Governor designating the expiration of the term of office of each member of the committee when first appointed. Thereafter their

successors shall serve for a term of three years. In appointing members to the committee, the Governor shall give due consideration to the geographical distribution of visually impaired persons within the state with a view to apportioning membership on the committee in accordance with such distribution. He The Governor shall also seek to give fair representation to organizations of blind and visually impaired persons. At least two-thirds of the members of the committee shall be blind or visually impaired and the remainder may be sighted persons who are knowledgeable concerning the affairs of the blind. No employee of any governmental agency or instrumentality shall be eligible to be appointed to the committee. In case of vacancy in the office of any member, his or her successor shall be appointed for the unexpired term. Members of the committee shall receive twenty dollars per day for each day engaged in the duties of the committee, and shall be reimbursed for their actual and necessary expenses incurred in the performance of their official duties as provided in sections 84-306.01 to 84-306.05 for state employees. The committee shall hold four meetings a year during the months of August, November, February, and May. A chairman chairperson and such other officers as may be necessary shall be elected by the committee by majority vote. New officers shall be elected at the first meeting of each calendar year. The individual designated by the Department of Public Institutions as the Director of Rehabilitation Services for the Visually Impaired shall serve as executive secretary for the committee in a nonvoting capacity. The director shall furnish any data required by the committee in carrying out its functions, subject to the limitations prescribed by law relating to the confidentiality of information with respect to individual clients.

(2) It shall be the duty of the advisory committee to: (a) Study all of the rehabilitation programs provided by the agency for the blind and visually impaired; (b) receive, investigate, and hear complaints from blind and visually impaired persons and organizations of the blind; (c) make recommendations to the Division of Rehabilitation Services for the Visually Impaired; (d) hold meetings in different geographic areas of the state to maximize blind or visually impaired consumer participation; and (e) make a report to the Director of Public Institutions each year on its findings and recommendations.

Sec. 206. That section 83-337, Revised Statutes Supplement, 1980, be amended to read as follows:

83-337. (1) The members of the mental health board shall be allowed compensation at an hourly rate to

be determined by the district judge, and in no event shall the amount allowed be less than fifty dollars for each hearing. They shall also be allowed their necessary and actual expenses, not including charges for board, and if mileage be included in their expenses, it shall be computed in accordance with the provisions of section 23-1112 for county officers and employees.

(2) The examining mental health professionals shall be entitled to compensation at a fair and reasonable rate to be determined by the district judge for time spent by them in connection with physical or mental examinations at the request of the mental health board and mileage at the rate ~~of ten cents per mile each way provided~~ in section 23-1112 for county officers and employees.

(3) The sheriff shall be allowed, for conveying a patient to a treatment hospital for the mentally ill and returning, mileage at the rate ~~of twenty-four cents per mile provided in section 33-117 for county sheriffs and deputy county sheriffs~~ for each mile actually and necessarily traveled and for other service the sheriff shall receive the same fees as for like services in other cases.

(4) Witnesses shall be entitled to the same fees ~~and mileage~~ as witnesses in the district court and mileage as provided in section 23-1112 for county officers and employees.

(5) All compensation and expenses provided for in this section shall be allowed and paid out of the county treasury by the county board. Whenever the mental health board issues its warrant for the admission of a person to a facility, or orders the return of a patient, and funds to pay the expenses thereof are needed in advance, it shall estimate the probable expense of conveying the patient to the facility, including the necessary assistance. The clerk shall certify the estimate, and the county clerk shall issue an order on the treasurer of the county in favor of the sheriff or person entrusted with the execution of the warrant.

(6) The sheriff or person executing the warrant shall include in his or her return a statement of the expenses incurred, including the excess or deficiency, if any, of any amount advanced for such expenses, as authorized by subsection (5) of this section. Any excess shall be paid to the county treasurer, taking his or her receipts therefor, and any deficiency shall be obtained by filing a claim with the county board therefor. If no funds are advanced, the expenses shall be certified on

the warrant and paid when it is returned.

Sec. 207. That section 83-424, Revised Statutes Supplement, 1980, be amended to read as follows:

83-424. The expenses and fees of sheriffs and other officers incurred in conveying convicts to the Nebraska Penal and Correctional Complex shall be examined, adjusted, and approved by the county board and paid out of the treasury of the county in which the crime was committed. The county board shall allow expenses and fees at the following rates: (1) For the sheriff, six dollars per day for time actually necessary in conveying a prisoner to the Nebraska Penal and Correctional Complex and return; (2) for each assistant or guard absolutely necessary, six dollars per day; and (3) no allowance for assistance shall be made where but one prisoner is conveyed to the Nebraska Penal and Correctional Complex. The county board shall allow the actual and necessary traveling expenses in going and coming. Where the trip is made by automobile, mileage included in such expenses shall be computed on-the-basis-of--twenty-four--cents at the rate provided in section 33-117 for county sheriffs and deputy county sheriffs for each mile actually and necessarily traveled by the most direct route.

Sec. 208. That section 83-945, Revised Statutes Supplement, 1980, be amended to read as follows:

83-945. It is hereby declared to be the policy of the State of Nebraska that all criminal detention facilities in the state shall conform to certain minimum standards of construction, maintenance, and operation.

To further such policy, the Jail Standards Board is hereby created. For administrative purposes only, such board shall be within the Department of Correctional Services. Nothing in this act shall be construed to give the Director of Correctional Services any authority, power, or responsibility over the board or the exercise of its functions under this act other than as a member of the board. The board shall consist of the Director of Correctional Services or his or her designee and nine appointive members, three of whom shall be from each of the three congressional districts, to be appointed by the Governor. The appointive members of the board shall be appointed from recommendation lists containing at least three names from the Nebraska District Judges Association, the Nebraska Association of County Officials, the Nebraska County Sheriffs Association, the Nebraska Bar Association, and the Police Officers Association of Nebraska. The members of the board shall be from the following areas: (1) One district judge; (2)

two county commissioners or supervisors; (3) one county sheriff; (4) one municipal police chief; (5) one member of the Nebraska Bar Association; (6) three lay people; and (7) the Director of Correctional Services or his or her designee.

The term of office for all members initially appointed shall be three years. Upon completion of the initial term of the board, the Governor shall appoint one member from each congressional district for a term of one year, one member from each congressional district for a term of two years, and one member from each congressional district for a term of three years. For purposes of this section congressional district shall mean the congressional districts as they exist on the effective date of this act. Succeeding appointees shall be representative of the same congressional district and shall be appointed for terms of three years, except appointees to vacancies occurring from unexpired terms, in which case the successor shall serve out the term of his or her predecessor. Members whose terms have expired shall continue to serve until their successors have been appointed.

The members of the board shall serve without compensation, but they shall be reimbursed for their actual expenses while engaged in the performance of their official duties as provided in sections 84-306.01 to 84-306.05 for state employees.

Sec. 209. That section 83-1071, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

83-1071. The members of the State Board of Mental Health, while engaged in the performance of their official duties, shall receive compensation at the rate of one hundred dollars per day. In addition, members of the state board shall receive reimbursement for actual and necessary expenses ~~on the same basis and subject to the same conditions as full-time~~ as provided in sections 84-306.01 to 84-306.05 for state employees.

Sec. 210. That section 84-134, Revised Statutes Supplement, 1980, be amended to read as follows:

84-134. The Governor may establish special or general advisory committees or councils to the Policy Research Office and appoint the members thereof, who shall serve for stated times or at his or her pleasure. Members shall serve without compensation, but may be reimbursed for the necessary expenses incurred in the performance of their duties as provided in sections

84-306.01 to 84-306.05 for state employees. The Governor may designate the chairperson and such other officers as he or she may deem necessary for each advisory committee or council. Advisory committees or councils established pursuant to the provisions of this section shall meet at the call of their chairperson or of the Director of Policy Research.

Sec. 211. That section 84-213, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

84-213. Whenever the Attorney General undertakes any investigation contemplated by sections 59-821, 59-828, 59-829, and 84-211 to 84-214, he or she shall have the authority, prior to commencement of any action, to subpoena witnesses, compel their attendance, examine them under oath or require the production of any books, documents, records, writings or tangible things hereafter referred to as documentary material, which he or she deems relevant or material to ~~his~~ the investigation, for inspection, reproducing or copying under such terms and conditions as are set forth in this section. Any subpoena issued by the Attorney General shall contain the following information: (1) The section of the statutes, the alleged violation of which is under investigation, and the general subject matter of the investigation, (2) the date and place at which time the person is required to appear or produce documentary material in his or her possession, custody, or control, which date shall not be less than ten days from the date of service of the subpoena, and (3) a description of any documentary material required by class so as to clearly indicate the material demanded. He or she may require the production of documentary material prior to the taking of any testimony of the person subpoenaed, in which event the documentary material shall be made available for inspection and copying during normal business hours at the principal place of business of the person served or at such other time and place as may be agreed upon by the person served and the Attorney General. When documentary material is demanded by subpoena, the subpoena shall not contain any requirement which would be unreasonable or improper if contained in a subpoena duces tecum issued by a court of this state, or require the disclosure of any documentary material which would be privileged, or which for any other reason would not be required by a subpoena duces tecum issued by a court of this state. Service of such subpoena shall be in the same manner as subpoenas issued by a court in this state, and service on a corporation may be made on its resident agent. The examination of all witnesses under this section shall be conducted by the Attorney General or by an assistant or

special assistant attorney general designated by him or her in writing, and the testimony shall be taken stenographically or by a sound-recording device and shall be transcribed. All persons served with a subpoena by the Attorney General under sections 59-821, 59-828, 59-829, and 84-211 to 84-214 shall be paid the same fees and mileage as paid witnesses in the courts of this state and mileage as provided in section 84-306.03 for state employees, which shall be paid the same as other claims against the state at the time such person appears in response to the subpoena. If a witness served with a subpoena under sections 59-821, 59-828, 59-829, and 84-211 to 84-214 fails or refuses to obey the same or produce documentary material as required or to give testimony relevant or material to the investigation being conducted, the Attorney General may petition the district court of Lancaster County or the county wherein the witness resides for an order requiring the witness to attend and testify or produce the documentary material demanded. Any failure or refusal on the part of the witness to obey such an order of court may be punishable by the court as a contempt thereof. In any investigation brought by the Attorney General pursuant to sections 59-821, 59-828, 59-829, and 84-211 to 84-214, no individual shall be excused from attending, testifying, or producing documentary material, objects or tangible things in obedience to a subpoena or under order of the court on the ground that the testimony or evidence required of him or her may tend to incriminate him or her or subject him or her to any criminal penalty for or on account of any testimony given by him or her in any investigation brought by the Attorney General pursuant to sections 59-821, 59-828, 59-829, and 84-211 to 84-214; Provided, no person shall be prosecuted or be subjected to any penalty or forfeiture for or on account of any transaction, matter or thing concerning which he or she may testify or produce evidence, documentary or otherwise, in any proceeding, suit, or prosecution under sections 59-821, 59-828, 59-829, and 84-211 to 84-214; and provided further, that no individual so testifying shall be exempt from prosecution or punishment for perjury committed in so testifying.

Sec. 212. That section 84-306.03, Revised Statutes Supplement, 1980, be amended to read as follows:

84-306.03. (1) If a trip or trips, included in an expense claim filed under sections 84-306.01 and 84-306.02, are made by personal automobile or otherwise, only one mileage claim shall be allowed for each mile actually and necessarily traveled in each calendar month by the most direct route, regardless of the fact that one or more persons are transported in the same motor

vehicle. Reimbursement on such claims shall be computed on the following basis: If a trip is made by personal automobile at the convenience of the agency involved, the reimbursement rate shall be twenty-one cents per mile. If a trip is made by personal automobile primarily at the convenience of the state officer or employee, as previously agreed upon by the officer or employee and the agency involved, the reimbursement rate shall be the prevailing rate established by the transportation services bureau of the Department of Administrative Services. Funds expended for parking may be claimed in addition to mileage.

(2) The payment of mileage shall be limited to the actual cost of travel at the rates established in subsection (1) of this section or the cost of commercial transportation, whichever is less. Savings of productive time shall be taken into consideration when making the comparison. No additional rate of mileage shall be allowed to state inspectors or others who carry state equipment by motor vehicle, regardless of the weight thereof.

(3) Any future adjustments made to the reimbursement rate provided in subsection (1) of this section shall be deemed to apply to all provisions of law which refer to this section for the computation of mileage.

Sec. 213.. That section 84-306.06, Revised Statutes Supplement, 1980, be amended to read as follows:

84-306.06. Any member of any state commission, council, committee, or board which has been created by statute shall be entitled to be reimbursed for expenses in the same manner as provided in section--84-306.04 sections 84-306.01 to 84-306.05 for state employees whether or not specific reference is made to such sections.

Sec. 214.. That section 84-306.08, Revised Statutes Supplement, 1980, be amended to read as follows:

84-306.08. Any member of any state commission, council, committee, or board which exists, but is not entitled to reimbursement under the provisions of section 84-306.06 or 84-306.07, shall be entitled to be reimbursed for necessary and actual expenses incurred by such board member in the line of duty as provided in sections 84-306.01 to 84-306.05 for state employees if approved by the Governor and an appropriation is made for such purpose.

Sec. 215.. That section 84-306.09, Revised Statutes Supplement, 1980, be amended to read as follows:

84-306.09. The reimbursement of expenses before July 1, 1976, now authorized by section 84-306.06, 84-306.07, or 84-306.08, is hereby ratified and shall not be subject to attack for the sole reason that it was not authorized at the time. All expenses authorized by section 84-306.06, 84-306.07, or 84-306.08 which were incurred by a member of any state commission, council, committee, or board after July 1, 1976, for which reimbursement has not been made, shall be paid to such member pursuant to sections 84-306.01 and ~~84-306.06~~ to 84-306.09.

Sec. 216.. That section 84-1501, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

84-1501. The Public Employees Retirement Board is hereby established. Such board shall consist of six appointed members. Three members shall be participants in the retirement systems which shall be administered under this act and three of the appointed members shall not be employees of the State of Nebraska or any of its political subdivisions. Appointments to such board shall be made by the Governor subject to the approval of the Legislature. All appointed members shall be citizens of the State of Nebraska. The initial appointed members shall be appointed within thirty days after August 27, 1971, two for a term to expire January 1, 1973, two for a term to expire January 1, 1974, and two for a term to expire January 1, 1975. As the terms of the initial appointees expire, their successors shall serve for a term of three years or until a successor has been appointed and qualified. The members of the board shall receive no compensation for their services as members of the board, but shall be reimbursed for their actual and necessary expenses ~~on the same basis and subject to the same conditions as full-time as provided in sections 84-306.01 to 84-306.05~~ for state employees. Members of the board may be removed by the Governor for cause after notice and an opportunity to be heard.

Sec. 217. That section 85-104, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

85-104. All meetings of the Board of Regents shall be open to the public. The board may hold closed sessions in accordance with sections 79-327, 84-1408 to 84-1414, and 85-104. Public record shall be made and kept of all meetings and proceedings of the board. The

regents shall meet at least twice each year at the administration building. They shall receive for their services no compensation, but they may be reimbursed their actual expenses incurred in the performance of their official duties as provided in sections 84-306.01 to 84-306.05 for state employees.

Sec. 218. That section 85-1,103, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

85-1,103. The dean of the College of Medicine of the University of Nebraska may authorize the expenditure of funds when appropriated by the Legislature for travel expenses of senior medical students, medical residents, and interns to communities in Nebraska for the purpose of locating in Nebraska to practice their profession. Payments shall be limited to one hundred dollars for a round trip visit and not more than three such visits shall be approved for any one student, medical resident, or intern. The College of Medicine shall keep records to show the result of such expenditures. The expenses paid shall be in accordance with expense practices of the state government and as provided in sections 84-306.01 to 84-306.05 for state employees.

Sec. 219. That section 85-906, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

85-906. The members of the commission shall receive no compensation for their services but shall be reimbursed for any actual and necessary expenses incurred in carrying out their duties ~~on the same basis and subject to the same conditions as full-time~~ as provided in sections 84-306.01 to 84-306.05 for state employees.

Sec. 220. That section 85-1011, Revised Statutes Supplement, 1980, be amended to read as follows:

85-1011. The members of the council shall receive no compensation for their services on such council but shall be reimbursed for any expenses actually incurred in the performance of their duties as provided in sections 84-306.01 to 84-306.05 for state employees.

Sec. 221. That section 86-709, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

86-709. The Attorney General or any county attorney may administer oaths and affirmations, subpoena witnesses, compel their attendance, take evidence, and

require the production of records including books, papers, documents, and tangible things which constitute or contain evidence relevant or material to the investigation or enforcement of the laws of this state pertaining to offenses enumerated in section 86-703 when it shall reasonably appear that such action is necessary and proper. The attendance of witnesses and the production of records shall be required from any place within the State of Nebraska. Witnesses summoned by the Attorney General or a county attorney shall be paid the same fees ~~and mileage~~ that are paid witnesses in the courts of the State of Nebraska and mileage at the rate provided in section 84-306.03 for state employees.

Sec. 222. That section 54-137, Revised Statutes Supplement, 1980, be amended to read as follows:

54-137. The committee shall employ a secretary who shall keep a record of all proceedings, transactions, communications, and official acts of the committee, shall be custodian of all records of the committee, and shall perform such other duties as the committee may require. The secretary shall call a meeting at the direction of the Secretary of State or upon the written request of two or more members of the committee. The committee shall employ such other employees as may be necessary properly to carry out the provisions of sections 54-101 to 54-168 and 54-415 and shall also be authorized to fix the salaries of such employees as may be employed by it and to make such expenditures as are necessary properly to carry out the provisions of such sections. Mileage shall be computed at the rate provided in section 84-306.03 for state employees. The committee shall select and designate a location or locations where the committee shall keep and maintain an office and where records of the brand inspection and investigation proceedings, transactions, communications, brand registrations, and official acts shall be kept.

(1) As used in this section, unless the context otherwise requires, secretary shall mean the executive officer employed by the Nebraska Brand Committee, who shall also be the chief brand inspector, the chief brand investigator, and for administrative purposes, the committee head.

(2) The secretary shall have supervisory authority to direct and control all full-time and part-time Nebraska Brand Committee employees. This authority shall allow the secretary to hire such employees as are needed on an interim basis subject to approval or confirmation by the Nebraska Brand Committee for regular employment. The secretary shall have the

authority to place employees on probation. The secretary may discharge an employee. The brand recorder may recommend the hiring or termination of brand recording personnel subject to ratification of the committee.

(3) If any employee of the Nebraska Brand Committee after having been disciplined, placed on probation, or having had his or her services terminated desires to have a hearing before the entire Nebraska Brand Committee, such a hearing shall be granted as soon as is practicable and convenient for all persons concerned. The request for such a hearing shall be made in writing by the employee alleging the grievance, and directed to the secretary. After hearing all testimony surrounding the grievance of such employee, the Nebraska Brand Committee, at its discretion, may approve, rescind, nullify, or amend all actions as previously taken by the secretary.

(4) In the absence of the secretary, either by reason of illness, vacation, or official business away from the department's headquarters, the assistant secretary shall have similar authority as above outlined for the secretary.

Sec. 223. That section 54-140, Revised Statutes Supplement, 1980, be amended to read as follows:

54-140. The appointed members of the committee shall be paid their actual and necessary traveling expenses in attending meetings of the committee or in performing any other duties that are prescribed in sections 54-101 to 54-168 and 54-415, as provided for in section sections 84-306.01, to 84-306.05 for state employees.

Sec. 224. If any section in this act or any part of any section shall be declared invalid or unconstitutional, such declaration shall not affect the validity or constitutionality of the remaining portions thereof.

Sec. 225. That original sections 1-110, 2-953, 2-954, 2-1582, 2-1803, 2-2306, 2-2404, 2-3218, 3-104, 3-502, 3-611, 3-705, 14-1706, 14-1803, 19-706, 21-17, 133, 21-2307, 23-343.26, 23-343.87, 23-1210, 23-1614, 23-1724, 23-2505, 23-2603, 24-326, 24-342.02, 24-513, 24-718, 24-731, 25-1227, 29-752, 29-1903, 29-1907, 29-1908, 29-2259, 29-2539, 29-3204, 31-219, 32-403, 32-549, 33-108, 33-116, 33-133, 33-135.01, 33-138, 33-139, 35-506, 37-603, 39-869, 39-1106, 39-1643, 39-2106, 39-2202, 39-2304, 43-601, 43-631, 44-111, 44-127.08, 44-388, 44-2405, 44-2706, 44-2849, 44-3005, 46-536,

46-634.01, 46-901, 48-155.01, 48-610, 48-1116, 49-230, 49-233, 49-905, 49-14,120, 50-408, 50-415, 51-313, 51-314, 51-402, 53-113, 54-1169, 54-1914, 55-428, 55-442, 60-406.06, 60-1414, 66-470, 68-702.01, 68-1105, 70-719, 71-122.01, 71-124, 71-1,132.12, 71-1,156, 71-230, 71-317, 71-331, 71-1401, 71-1524, 71-1565, 71-2005, 71-2605, 71-2703, 71-2908, 71-3506, 71-3706, 71-3809, 71-4611, 71-4715, 71-4902, 71-5005, 71-5006, 71-5008, 71-5118, 72-201, 72-720, 72-1121, 72-1239, 76-303, 76-513, 77-417, 77-1720, 77-2024, 79-327, 79-426.03, 79-426.05, 79-1281.01, 79-1421, 79-2102, 79-2113, 80-101, 80-401.08, 81-509, 81-539, 81-807, 81-814, 81-829.53, 81-829.54, 81-842, 81-885.27, 81-8,110.11, 81-8,116, 81-8,163, 81-8,189, 81-8,191, 81-8,220, 81-8,267, 81-8,272, 81-1108.32, 81-1120.18, 81-1218, 81-1409, 81-1421, 81-1507, 82-310, 83-101.06, 83-195, 83-1,128, 83-1,141, 83-211.02, 83-1071, 84-213, 84-1501, 85-104, 85-1,103, 85-906, and 86-709, Reissue Revised Statutes of Nebraska, 1943, and sections 2-1201, 2-1505, 2-3619, 23-114.01, 23-343.02, 23-1112, 23-1112.01, 23-1820, 33-117, 43-607, 43-657, 46-154, 48-159, 48-804.02, 48-806, 54-137, 54-140, 57-904, 68-1305, 70-1003, 71-122, 71-222, 71-1631, 71-2045.06, 71-4723, 71-5026, 71-5606, 71-5845, 71-5864, 72-224.03, 76-1609, 77-3,106, 79-490, 79-1034, 79-1281, 79-2203, 80-305, 80-401.02, 81-175, 81-502.02, 81-804, 81-822, 81-8,285, 81-1241, 81-1503, 81-1504, 81-1603, 81-1805, 83-337, 83-424, 83-945, 84-134, 84-306.03, 84-306.06, 84-306.08, 84-306.09, and 85-1011, Revised Statutes Supplement, 1980, are repealed.