

LEGISLATURE OF NEBRASKA  
ONE HUNDREDTH LEGISLATURE  
SECOND SESSION  
**LEGISLATIVE BILL 767**

Introduced by Cornett, 45.

Read first time January 09, 2008

Committee: Government, Military and Veterans Affairs

A BILL

1 FOR AN ACT relating to the Civil Air Patrol; to amend section  
2 55-160, Reissue Revised Statutes of Nebraska; to  
3 authorize military and emergency leave for public  
4 employees who are members of the patrol; and to repeal  
5 the original section.  
6 Be it enacted by the people of the State of Nebraska,

1                   Section 1. Section 55-160, Reissue Revised Statutes of  
2 Nebraska, is amended to read:

3                   55-160 (1) All employees, including elected officials of  
4 the State of Nebraska, or any political subdivision thereof, who  
5 are members of the National Guard, Army Reserve, Naval Reserve,  
6 Marine Corps Reserve, Air Force Reserve, ~~and~~ Coast Guard Reserve,  
7 or Civil Air Patrol, shall be entitled to a military leave of  
8 absence from their respective duties, without loss of pay, when  
9 employed with or without pay under the orders or authorization  
10 of competent authority in the active service of the state or of  
11 the United States or when performing a Civil Air Patrol mission.  
12 Members who normally work or are normally scheduled to work one  
13 hundred twenty hours or more in three consecutive weeks shall  
14 receive a military leave of absence of one hundred twenty hours  
15 each calendar year. Members who normally work or are normally  
16 scheduled to work less than one hundred twenty hours in three  
17 consecutive weeks shall receive a military leave of absence each  
18 calendar year equal to the number of hours they normally work or  
19 would normally be scheduled to work, whichever is greater, in three  
20 consecutive weeks. Such military leave of absence may be taken in  
21 hourly increments and shall be in addition to the regular annual  
22 leave of the persons named in this section.

23                   (2) When the Governor of this state declares that a state  
24 of emergency exists and any of the persons named in this section  
25 are ordered to active service of the state or Civil Air Patrol

1 duty, a state of emergency leave of absence will be granted until  
2 such member is released from active service of the state or Civil  
3 Air Patrol duty by competent authority. A military leave of absence  
4 shall not be used during a state of emergency declared by the  
5 Governor. Other forms of leave may be granted. During a state of  
6 emergency leave of absence because of the call of the Governor, any  
7 official or employee subject to this section shall receive his or  
8 her normal salary or compensation minus the state active duty base  
9 pay he or she receives in active service of the state. Governmental  
10 officers serving a term of office shall receive their compensation  
11 as provided by law.

12           Sec. 2. Original section 55-160, Reissue Revised Statutes  
13 of Nebraska, is repealed.