

AMENDMENTS TO LB 154

Introduced by Government, Military and Veterans Affairs.

1 1. Strike original sections 10, 18, 20 to 26, and 30 and
2 insert the following new section:

3 Section 1. Section 12-1301, Reissue Revised Statutes of
4 Nebraska, is amended to read:

5 12-1301 (1) The Director of Veterans' Affairs may
6 establish and operate a state veteran cemetery system consisting
7 of a facility in Box Butte County, a facility in Sarpy County,
8 and the Nebraska Veterans' Memorial Cemetery in Hall County. The
9 director may seek and expend private, state, and federal funds for
10 the establishment, construction, maintenance, administration, and
11 operation of the cemetery system as provided in this section. Any
12 gift, bequest, or devise of real property for the cemetery system
13 shall be subject to the approval requirements of section 81-1108.33
14 notwithstanding the value of the real property. All funds received
15 for the construction of the cemetery system shall be remitted to
16 the State Treasurer for credit to the Veteran Cemetery Construction
17 Fund. Any funds remaining in the Veteran Cemetery Construction Fund
18 following the completion of construction of the three facilities
19 comprising the state veteran cemetery system shall upon such
20 completion be transferred to the Nebraska Veteran Cemetery System
21 Endowment Fund, and the Veteran Cemetery Construction Fund shall
22 thereafter terminate.

23 (2) (a) A trust fund to be known as the Nebraska Veteran

1 Cemetery System Endowment Fund is hereby created. The fund shall
2 consist of:

3 (i) Gifts, bequests, grants, or contributions from
4 private or public sources designated for the maintenance,
5 administration, or operation of the state veteran cemetery system;

6 (ii) Any funds transferred from the Veteran Cemetery
7 Construction Fund following the completion of construction of the
8 three facilities comprising the state veteran cemetery system; and

9 (iii) Following the termination of the Veteran Cemetery
10 Construction Fund, any funds received by the state from any source
11 for the state veteran cemetery system.

12 (b) No revenue from the General Fund shall be remitted
13 to the Nebraska Veteran Cemetery System Endowment Fund. The
14 Legislature shall not appropriate or transfer money from the
15 Nebraska Veteran Cemetery System Endowment Fund for any purpose
16 other than as provided in this section. Any money in the Nebraska
17 Veteran Cemetery System Endowment Fund available for investment
18 shall be invested by the state investment officer pursuant to
19 the Nebraska Capital Expansion Act and the Nebraska State Funds
20 Investment Act. No portion of the principal of the Nebraska Veteran
21 Cemetery System Endowment Fund shall be expended for any purpose
22 except investment pursuant to this subdivision. All investment
23 earnings from the Nebraska Veteran Cemetery System Endowment Fund
24 shall be credited on a quarterly basis to the Nebraska Veteran
25 Cemetery System Operation Fund.

26 (3) There is hereby created the Nebraska Veteran Cemetery
27 System Operation Fund. Money in the fund shall be used for the

1 operation, administration, and maintenance of the state veteran
2 cemetery system. Any money in the fund available for investment
3 shall be invested by the state investment officer pursuant to
4 the Nebraska Capital Expansion Act and the Nebraska State Funds
5 Investment Act.

6 (4) The director may make formal application to the
7 federal government regarding federal financial assistance for the
8 construction of any of the facilities comprising the state veteran
9 cemetery system which is located in a county with a population of
10 less than one hundred thousand persons when he or she determines
11 that the requirements for such assistance have been met.

12 (5) The director may make formal application to
13 the federal government regarding financial assistance for the
14 construction of any facility comprising a portion of the state
15 veteran cemetery system located in a county with a population of
16 more than one hundred thousand persons when sufficient funds have
17 been remitted to the Nebraska Veteran Cemetery System Endowment
18 Fund such that (a) the projected annual earnings from such fund
19 available for transfer to the Nebraska Veteran Cemetery System
20 Operation Fund plus (b) the projected annual value of formal
21 agreements that have been entered into between the state and
22 any political subdivisions or private entities to subsidize or
23 undertake the operation, administration, or maintenance of any of
24 the facilities within the state veteran cemetery system, has a
25 value that is sufficient to fund the operation, administration, and
26 maintenance of any cemetery created pursuant to this subsection.

27 (6) The director may expend such funds as may be

1 available for any of the purposes authorized in this section.

2 (7) The director, with the approval of the Governor, may
3 enter into agreements for cemetery construction, administration,
4 operation, or maintenance with qualified persons, political
5 subdivisions, or business entities. The director shall provide
6 lots in the cemetery system for the interment of deceased veterans
7 as defined by the National Cemetery Administration of the United
8 States Department of Veterans Affairs. The director shall provide
9 lots for the interment of those veterans' spouses, minor children,
10 and unmarried adult children who were physically or mentally
11 disabled and incapable of self-support. Section 12-501 does not
12 apply to the state veteran cemetery system.

13 (8) The Veteran Cemetery Construction Fund is created.
14 Any money in the fund available for investment shall be invested
15 by the state investment officer pursuant to the Nebraska Capital
16 Expansion Act and the Nebraska State Funds Investment Act.

17 ~~(9) The Nebraska Veterans Cemetery Advisory Board is~~
18 ~~created. The board shall consist of seven members. One member~~
19 ~~shall be the director who shall serve as the chairperson of the~~
20 ~~board. Three members of the board shall be veterans appointed by~~
21 ~~the Governor from a list of candidates forwarded by the county~~
22 ~~board of each county within which a state veteran cemetery system~~
23 ~~facility is located. Three members with experience in cemetery~~
24 ~~administration or operation, one from each congressional district,~~
25 ~~shall be appointed by the Governor. The members of the board shall~~
26 ~~receive no compensation but shall be reimbursed for their actual~~
27 ~~and necessary expenses in the discharge of their duties as provided~~

1 in sections 81-1174 to 81-1177. The board shall meet from time
2 to time as requested by the director to review the status of the
3 state veteran cemetery system, to recommend actions to facilitate
4 the development of the system, to assist in fundraising from public
5 or private sources for the construction, operation, administration,
6 and maintenance of the system, and to advise the director on
7 the most appropriate actions for the state to undertake in the
8 development of the system and the priorities for action.

9 ~~(10)~~ (9) The director may adopt and promulgate rules and
10 regulations to carry out this section. The rules and regulations
11 shall include requirements for proof of residency, cost of burial
12 if any, and standards for cemeteries, including decorations and
13 headstones.

14 2. On page 51, line 17, after "sections" insert
15 "12-1301,".

16 3. On page 52, line 4, strike "66-1701,"; and in line 9
17 strike "85-1539, 85-1540,".

18 4. Renumber the remaining sections accordingly.