

LEGISLATURE OF NEBRASKA
ONE HUNDRED FIFTH LEGISLATURE
SECOND SESSION

LEGISLATIVE BILL 1003

Introduced by McDonnell, 5.

Read first time January 16, 2018

Committee: Government, Military and Veterans Affairs

- 1 A BILL FOR AN ACT relating to the Military Code; to amend section 55-160,
- 2 Reissue Revised Statutes of Nebraska; to change provisions relating
- 3 to military leave of absence without loss of pay; and to repeal the
- 4 original section.
- 5 Be it enacted by the people of the State of Nebraska,

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

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

25 (2) When the Governor of this state declares that a state of
26 emergency exists and any of the persons named in this section are ordered
27 to active service of the state, a state of emergency leave of absence
28 will be granted until such member is released from active service of the
29 state by competent authority. A military leave of absence shall not be
30 used during a state of emergency declared by the Governor. Other forms of
31 leave may be granted. During a state of emergency leave of absence

1 because of the call of the Governor, any official or employee subject to
2 this section shall receive his or her normal salary or compensation minus
3 the state active duty base pay he or she receives in active service of
4 the state. Governmental officers serving a term of office shall receive
5 their compensation as provided by law.

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