

LEGISLATIVE BILL 884

Approved by the Governor April 9, 2004

Introduced by Quandahl, 31

AN ACT relating to bonds; to amend sections 2-1201, 3-103, 8-104, 8-1,101, 9-807, 11-121, 11-201.01, 11-202, 25-2101, 25-21,207, 25-21,218, 32-561, 32-602, 48-158, 48-609, 48-804.03, 53-109, 55-123, 55-126, 55-127, 55-150, 57-917, 60-1502, 71-222.01, 72-1241, 77-366, 77-703, 80-401.02, 81-111, 81-151, 81-8,128, 81-8,141, 81-1108.14, 81-2002, 83-128, 83-139, 84-106, 84-206, 84-314, 84-505, 84-718, and 84-801, Reissue Revised Statutes of Nebraska, sections 8-197, 11-119, 37-110, 37-431, 48-618, 48-721, and 54-191, Revised Statutes Supplement, 2002, and sections 8-105, 11-201, 60-1303, and 84-502, Revised Statutes Supplement, 2003; to authorize the purchase of commercial insurance in lieu of blanket corporate surety bonds for certain state officers and employees; to harmonize provisions; and to repeal the original sections.

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

Section 1. Section 2-1201, Reissue Revised Statutes of Nebraska, is amended to read:

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~~ the 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~~ the 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 81-1174 to 81-1177 for state employees. The members of the commission shall be bonded ~~under the blanket surety bond~~ or insured as required by section 11-201.

Sec. 2. Section 3-103, Reissue Revised Statutes of Nebraska, is amended to read:

3-103. There is hereby created a department of government to be known as the Department of Aeronautics. The chief administrative officer of the department shall be the director, to be known as the Director of Aeronautics. ~~He~~ The Director of Aeronautics shall be appointed by the Governor, subject to confirmation by the Legislature, with due regard to his or her fitness through aeronautical education and by knowledge of and recent practical experience in aeronautics. The director shall devote full time to the performance of his or her official duties and shall not have any pecuniary interest in, stock in, or bonds of any civil aeronautics enterprise. ~~He~~ The director shall, before assuming the duties of ~~his~~ the office, take and subscribe an oath, such as is required by state officers. The director shall be bonded ~~by the blanket surety bond~~ or insured as required by section 11-201. The director shall receive such compensation as the Governor, with the approval of the commission, shall determine, subject to the provisions of the legislative appropriations bill.

Sec. 3. Section 8-104, Reissue Revised Statutes of Nebraska, is amended to read:

8-104. The director shall, before assuming the duties of office, take and subscribe to the constitutional oath of office, and file the same in the office of the Secretary of State, and shall be bonded ~~under the blanket surety bond~~ or insured as required by section 11-201.

Sec. 4. Section 8-105, Revised Statutes Supplement, 2003, is amended to read:

8-105. (1) The director may employ such deputies, examiners, and other assistants as he or she may need to discharge in a proper manner the duties imposed upon him or her by law. Neither the director, nor any deputy or assistant, shall employ any person who at the time of hire is a relative of the director or a relative of any deputy or assistant in the work of the department. The deputies, examiners, and other assistants shall perform such duties as shall be assigned to them. The deputies and financial institution examiners hired after March 4, 2003, shall hold office at the will of the director and shall receive such salary as set by the director and approved by the Governor based upon the level of credentials for the positions. Each

employee who is employed as a deputy or a financial institution examiner on March 4, 2003, may elect to become employed at will. The election to become employed at will may be made at any time upon notification to the director in writing, but once made, such election shall be final. Until the election to be employed at will is made, the employee shall be treated as continuing participation in the State Personnel System. The director shall, with the approval of the Governor, fix the compensation of the other examiners and assistants, which shall be paid either monthly or on a biweekly basis.

(2) The deputies, examiners, and other assistants, before assuming the duties of office, shall be bonded ~~under the blanket surety bond~~ or insured as required by section 11-201.

Sec. 5. Section 8-197, Revised Statutes Supplement, 2002, is amended to read:

8-197. Pending final judgment on the petition to enjoin, the director shall retain possession of the property and business of the bank. If not enjoined, the director shall proceed to liquidate the affairs of such bank as provided in the Nebraska Banking Act, except that: (1) The Federal Deposit Insurance Corporation may, under the laws of this state, accept the appointment as receiver or liquidator of any insolvent state bank the deposits of which are insured by the Federal Deposit Insurance Corporation; or (2) when any state bank is declared insolvent and ordered to be liquidated and the deposits of such bank are not insured by the Federal Deposit Insurance Corporation, then depositors and other creditors of such insolvent state bank, representing fifty-one percent or more of the deposit and other claims in number and in amount of the total thereof, shall have the right to liquidate such insolvent bank by and through liquidating trustees, who shall have the same power as the department and the director to liquidate such bank if, within thirty days after the filing of the declaration of insolvency, articles of trusteeship executed and acknowledged by fifty-one percent or more of the depositors and other creditors in number, representing fifty-one percent or more of the total of all deposits and claims in such bank, are filed with the director. The articles creating the trusteeship shall be in writing, shall name the trustees, shall state the terms and conditions of such trust, and shall become effective when it is determined by the director that fifty-one percent or more of the depositors and other creditors in number, representing fifty-one percent or more of the total of all deposits and claims in such bank, have signed and acknowledged the same. All nonconsenting depositors and other creditors of the insolvent bank shall be held to be subject to the terms and conditions of such trusteeship to the same extent and with the same effect as if they had joined in the execution thereof, and their respective claims shall be treated in all respects as if they had joined in the execution of such articles of trusteeship. Upon finding that such articles have been executed and acknowledged as provided in this section, the director shall thereupon transfer all of the assets of the insolvent bank to such liquidating trustees and take their receipt therefor, and all duties and responsibilities of the department and the director as otherwise provided by law with respect to such liquidation shall be assumed by such liquidating trustees. The director shall then be relieved from further responsibility in connection therewith, and the director and the person who issued the applicable bond or equivalent commercial insurance policy shall be released from further liability on the director's official bond or equivalent commercial insurance policy in respect to such liquidation. The trustees shall then proceed to liquidate such bank as nearly as may be in the manner provided by law for the liquidation of insolvent banks by the department acting as receiver and liquidating agent.

When the Federal Deposit Insurance Corporation or any party other than the department is appointed receiver and liquidating agent of an insolvent bank or other financial institution, all references to the department or the director as provided in the act for the liquidation of banks and financial institutions shall mean the Federal Deposit Insurance Corporation or other appointed receiver and liquidating agent.

Sec. 6. Section 8-1,101, Reissue Revised Statutes of Nebraska, is amended to read:

8-1,101. Upon the declaration of insolvency, the director shall require bonds or equivalent commercial insurance policies from the special deputies or assistants in sums and with such condition as ~~he~~ the director shall specify, ~~with surety~~ to be approved by the Governor. The costs of any such bond or policy shall be taxed as costs in the liquidation. Such bond or policy shall be conditioned for the faithful performance of duty, and include indemnity to the department as receiver and liquidating agent.

Sec. 7. Section 9-807, Reissue Revised Statutes of Nebraska, is amended to read:

9-807. (1) Other than the director, all employees of the division shall be classified employees under the rules and regulations of the personnel division of the Department of Administrative Services.

(2) Before entering upon the duties of the office, the director and each employee of the division shall be bonded ~~under the blanket surety bond or insured as required by section 11-201.~~

Sec. 8. Section 11-119, Revised Statutes Supplement, 2002, is amended to read:

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

(1) The Governor, one hundred thousand dollars;
 (2) The Lieutenant Governor, one hundred thousand dollars;
 (3) The Auditor of Public Accounts, one hundred thousand dollars;
 (4) The Secretary of State, one hundred thousand dollars;
 (5) The Attorney General, one hundred thousand dollars;
 (6) The State Treasurer, not less than one million dollars and not more than double the amount of money that may come into his or her hands, to be fixed by the Governor;

(7) Each county attorney, a sum not less than one thousand dollars to be fixed by the county board;

(8) Each clerk of the district court, not less than five thousand dollars or more than one hundred thousand dollars to be determined by the county board;

(9) Each county clerk, not less than one thousand dollars or more than one hundred thousand dollars to be determined by the county board, except that when a county clerk also has the duties of other county offices the minimum bond shall be two thousand dollars;

(10) Each county treasurer, not less than ten thousand dollars and not more than the amount of money that may come into his or her hands, to be determined by the county board;

(11) Each sheriff, in counties of not more than twenty thousand inhabitants, five thousand dollars, and in counties over twenty thousand inhabitants, ten thousand dollars;

(12) Each district superintendent of public instruction, one thousand dollars;

(13) Each county surveyor, five hundred dollars;

(14) Each county commissioner or supervisor, in counties of not more than twenty thousand inhabitants, one thousand dollars, in counties over twenty thousand and not more than thirty thousand inhabitants, two thousand dollars, in counties over thirty thousand and not more than fifty thousand inhabitants, three thousand dollars, and in counties over fifty thousand inhabitants, five thousand dollars;

(15) Each register of deeds in counties having a population of more than sixteen thousand five hundred inhabitants, not less than two thousand dollars or more than one hundred thousand dollars to be determined by the county board;

(16) Each township clerk, two hundred fifty dollars;

(17) Each township treasurer, two thousand dollars;

(18) Each county assessor, not more than five thousand dollars and not less than two thousand dollars;

(19) Each school district treasurer, not less than five hundred dollars or more than double the amount of money that may come into his or her hands, the amount to be fixed by the president and secretary of the district;

(20) Each road overseer, two hundred fifty dollars;

(21) Each member of a county weed district board and the manager thereof, such amount as may be determined by the county board of commissioners or supervisors of each county with the same amount to apply to each member of any particular board; and

(22) In any county, in lieu of the individual bonds required to be furnished by county officers, a schedule, position, or blanket bond or undertaking may be given by county officers, or a single corporate surety fidelity, schedule, position, or blanket bond or undertaking covering all the officers, including officers required by law to furnish an individual bond or undertaking, may be furnished. The county may pay the premium for the bond. The bond shall be, at a minimum, an aggregate of the amounts fixed by law or by the person or board authorized by law to fix the amounts, and with such terms and conditions as may be required by sections 11-101 to 11-130.

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

Sec. 9. Section 11-121, Reissue Revised Statutes of Nebraska, is amended to read:

11-121. Any officer or person who is entrusted with funds belonging

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

Sec. 10. Section 11-201, Revised Statutes Supplement, 2003, is amended to read:

11-201. It shall be the duty of the Risk Manager:

(1) To prescribe the amount, terms, and conditions of any bond or equivalent commercial insurance when the amount or terms are not fixed by any specific statute. The Risk Manager, in prescribing the amount, deductibles, conditions, and terms, shall consider the type of risks, ~~to be bonded,~~ the relationship of the ~~bond~~ premium to risks involved, the past and projected trends for ~~bond~~ premiums, the ability of the Tort Claims Fund, the State Self-Insured Property Fund, and state agencies to pay the deductibles, and any other factors the manager may, in his or her discretion, deem necessary in order to accomplish the provisions of sections 2-1201, 3-103, 8-104, 8-105, 9-807, 11-119, 11-121, 11-201, 11-202, 37-110, 48-158, 48-609, 48-618, 48-721, 48-804.03, 53-109, 54-191, 55-123, 55-126, 55-127, 55-150, 57-917, 60-1303, 60-1502, 71-222.01, 72-1241, 77-366, 77-703, 80-401.02, 81-111, 81-151, 81-8,128, 81-8,141, 81-1108.14, 81-2002, 83-128, 84-106, 84-206, and 84-801;

(2) To pass upon the sufficiency of and approve the surety on the bonds or equivalent commercial insurance of all officers and employees of the state, when approval is not otherwise prescribed by any specific statute;

(3) To arrange for the writing of corporate surety bonds or equivalent commercial insurance for all the officers and employees of the state who are required by statute to furnish bonds;

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

(5) To order the payment of corporate surety bond or equivalent commercial insurance premiums out of the State Insurance Fund created by section 81-8,239.02.

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

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

Surety bonds of collection agencies, as required by section 45-608, and detective agencies, as required by section 71-3207, shall be approved by the Secretary of State. The Attorney General shall approve all bond forms distributed by the Secretary of State.

Sec. 11. Section 11-201.01, Reissue Revised Statutes of Nebraska, is amended to read:

11-201.01. No bond or equivalent commercial insurance determined by the Risk Manager to be furnished by officers and employees pursuant to subdivision (1) of section 11-201 shall be considered an official bond or insurance policy of such officers or employees, and no bond or policy so required by the Risk Manager shall inure to the benefit of other than the State of Nebraska, unless otherwise provided by the provisions of such bond or

policy.

Sec. 12. Section 11-202, Reissue Revised Statutes of Nebraska, is amended to read:

11-202. The premiums ~~on the bonds~~ written pursuant to section 11-201, shall be paid by the State of Nebraska out of such funds as may be appropriated therefor by the Legislature, upon the order of the Risk Manager. No officer, department, board, commission, or other agency of the state shall pay, or cause to be paid, the cost of or the premium ~~on the bond~~ of any officer or employee of the state out of public funds unless an order for such payment has been obtained from the Risk Manager.

Sec. 13. Section 25-2101, Reissue Revised Statutes of Nebraska, is amended to read:

25-2101. When an officer, executor, or administrator within this state, by misconduct or neglect of duty, forfeits his or her bond or commercial insurance policy or renders his or her sureties liable, any person injured thereby, or who is by law entitled to the benefit of the security, may bring an action thereon in his or her own name against the officer, executor, or administrator, and his or her sureties, to recover the amount to which he or she may be entitled by reason of the delinquency. The action may be instituted and proceeded in on a certified copy of the bond or commercial insurance policy, which copy shall be furnished by the person holding the original thereof.

Sec. 14. Section 25-21,207, Reissue Revised Statutes of Nebraska, is amended to read:

25-21,207. In any civil action instituted by the state, except in actions for the collection of revenue, ~~or~~ for school or other trust funds, or against defaulting officers and their ~~bondsman~~ sureties or insurance providers as specified in section 11-201, the defendant may, as matter of defense, plead any setoff, counterclaim, or cross-demand that he or she may have arising to him or her in his or her own right, and upon which an action could be maintained by him or her against the state.

Sec. 15. Section 25-21,218, Reissue Revised Statutes of Nebraska, is amended to read:

25-21,218. The State of Nebraska shall pay all premiums on bonds or equivalent commercial insurance policies that the Director of Banking and Finance may be required to give as receiver of insolvent state banks.

Sec. 16. Section 32-561, Reissue Revised Statutes of Nebraska, is amended to read:

32-561. (1) The acceptance of a commission to any military or naval office or the enlistment in or induction into the military or naval service of the United States which may require an incumbent in an elective office, except the office of member of the Legislature, to exercise military or naval duties within or without the state for any period of time within the term for which such person has been elected or appointed shall not create a vacancy of such office. While the incumbent exercises such military or naval duties within or without this state, he or she shall not be (a) entitled to receive any compensation, perquisites, or emoluments of the elective office, (b) required to keep and maintain an official bond or equivalent commercial insurance policy in force, or (c) responsible for the acts and defalcations of an acting officer duly appointed and qualified to take the place of the incumbent in such office during the time the incumbent is in such military or naval office or is inducted into or enlists in the military or naval service.

(2) If the incumbent accepts a commission to any military or naval office or enlists in or is inducted into the military or naval service of the United States, the county board, the governing body of the city, village, or other political subdivision, or the Governor or other appointive power, officer, or agency of the state in or under which such incumbent holds office may appoint an acting officer for such office for the period during which the elected or appointed incumbent will be absent by reason of the exercise of such military or naval duties or during the period of the term for which the incumbent has been elected or appointed. The acting officer so appointed shall qualify for such office in the manner provided by law and shall, during the time of such service as such acting officer, be entitled to all the compensation, perquisites, and emoluments of such office, including the power to appoint a deputy in the manner provided by law.

Sec. 17. Section 32-602, Reissue Revised Statutes of Nebraska, is amended to read:

32-602. (1) Any person seeking an elective office shall be a registered voter at the time of filing for the office pursuant to section 32-606 or 32-611.

(2) Any person filing for office shall meet the constitutional and statutory requirements of the office for which he or she is filing. If a

person is filing for a partisan office, he or she shall be a registered voter affiliated with the appropriate political party if required pursuant to section 32-702. If the person is required to sign a contract or comply with a bonding or equivalent commercial insurance policy requirement prior to holding such office, he or she shall be at least nineteen years of age at the time of filing for the office.

(3) The governing body of the political subdivision swearing in the officer shall determine whether the person meets all requirements prior to swearing in the officer.

Sec. 18. Section 37-110, Revised Statutes Supplement, 2002, is amended to read:

37-110. Each member of the Game and Parks Commission, all conservation officers, managers and custodians of parks, hatcheries, and captive wildlife facilities, all other agents, and all employees thereof, shall be bonded ~~under the blanket surety bond~~ or insured as required by section 11-201.

Sec. 19. Section 37-431, Revised Statutes Supplement, 2002, is amended to read:

37-431. (1) (a) The Nebraska Habitat Fund is created. The commission shall remit the habitat stamp fees to the State Treasurer for credit to the Nebraska Habitat Fund. Any money in the fund available for investment shall be invested by the state investment officer pursuant to the Nebraska Capital Expansion Act and the Nebraska State Funds Investment Act. No expenditure shall be made from the Nebraska Habitat Fund until the commission has presented a habitat plan to the Committee on Appropriations of the Legislature for its approval.

(b) Fees received for lifetime habitat stamps shall be credited to the Nebraska Habitat Fund and shall not be expended but may be invested by the state investment officer pursuant to the Nebraska Capital Expansion Act and the Nebraska State Funds Investment Act. Income from such investments may be expended by the commission pursuant to section 37-432.

(2) The Nebraska Aquatic Habitat Fund is created. The commission shall remit the aquatic habitat stamp fees to the State Treasurer for credit to the Nebraska Aquatic Habitat Fund. Any money in the fund available for investment shall be invested by the state investment officer pursuant to the Nebraska Capital Expansion Act and the Nebraska State Funds Investment Act. No expenditure shall be made from the Nebraska Aquatic Habitat Fund until the commission has presented a habitat plan to the Committee on Appropriations and the Committee on Natural Resources of the Legislature for their approval.

(3) The secretary of the commission and any county clerk or public official designated to sell habitat stamps or aquatic habitat stamps shall be liable upon their official bonds or equivalent commercial insurance policy for failure to remit the money from the sale of the stamps, as required by sections 37-426 to 37-433, coming into their hands. Any agent who receives stamp fees and who fails to remit the fees to the commission within a reasonable time after demand by the commission shall be liable to the commission in damages for double the amount of the funds wrongfully withheld. Any agent who purposefully fails to remit such fees with the intention of converting them is guilty of theft. The penalty for such violation shall be determined by the amount converted as specified in section 28-518.

Sec. 20. Section 48-158, Reissue Revised Statutes of Nebraska, is amended to read:

48-158. Each of the judges of the Nebraska Workers' Compensation Court, and the clerk thereof, shall, before entering upon or discharging any of the duties of his or her office, be bonded ~~under the blanket surety bond~~ or insured as required by section 11-201 and such judges and clerk shall, before entering upon the duties of their offices, take and subscribe the statutory oath of office.

Sec. 21. Section 48-609, Reissue Revised Statutes of Nebraska, is amended to read:

48-609. Subject to other provisions of the Employment Security Law, the Commissioner of Labor is authorized to appoint, fix the compensation of, and prescribe the duties and powers of such officers, accountants, attorneys, experts, and other persons as may be necessary in the performance of his or her duties under such law. The commissioner may delegate to any such person such power and authority as he or she deems reasonable and proper for the effective administration of such law. Employees handling money or signing warrants under such law shall be bonded ~~under the blanket surety bond~~ or insured as required by section 11-201. The commissioner may pay the share of the premium ~~for such bond~~ from the Employment Security Administration Fund. The commissioner shall classify positions under such law and shall establish salary schedules and minimum personnel standards for the positions so

classified. He or she shall provide for the holding of examinations to determine the qualifications of applicants for the positions so classified, and except for temporary appointments of not to exceed six months in duration, such personnel shall be appointed on the basis of efficiency and fitness as determined in such examinations. The commissioner shall adopt, promulgate, and enforce fair and reasonable rules and regulations for appointments, promotions, and demotions based upon ratings of efficiency and fitness and for terminations for cause.

The commissioner may provide for a contributory retirement system for the employees of the department employed prior to July 1, 1984, and paid from funds provided pursuant to Title III of the Social Security Act or funds from other federal sources, or let a contract for such purpose with an insurance company licensed in Nebraska, and pay the employer's share of such system or contract from the Employment Security Administration Fund as long as this fund is wholly financed from Title III of the Social Security Act or from other federal sources. The employee's contribution to any such plan shall be deducted from his or her salary. Any person employed by the department after June 30, 1984, and paid from funds provided pursuant to Title III of the Social Security Act or funds from other federal sources shall be enrolled in the State Employees Retirement System of the State of Nebraska when he or she becomes eligible.

Sec. 22. Section 48-618, Revised Statutes Supplement, 2002, is amended to read:

48-618. The Commissioner of Labor shall designate a treasurer and custodian of the fund, who shall be selected in accordance with section 48-609, and who shall administer such fund in accordance with the directions of the commissioner and shall issue his or her warrants upon it in accordance with such rules and regulations as the commissioner shall prescribe. He or she shall maintain within the fund three separate accounts: (1) A clearing account, (2) an Unemployment Trust Fund account, and (3) a benefit account. All money payable to the fund, upon receipt thereof by the commissioner, shall be forwarded to the treasurer who shall immediately deposit the same in the clearing account. Transfers of interest on delinquent contributions pursuant to subdivision (1)(b) of section 48-621 and refunds payable pursuant to section 48-660 may be paid from the clearing account upon warrants issued by the treasurer of the Unemployment Compensation Fund under the direction of the commissioner. After clearance thereof, all other money in the clearing account shall be immediately deposited with the Secretary of the Treasury of the United States of America to the credit of the account of this state in the Unemployment Trust Fund, established and maintained pursuant to section 904 of the Social Security Act, any provisions of law in this state relating to the deposit, administration, release, or disbursement of money in the possession or custody of this state to the contrary notwithstanding. The benefit account shall consist of all money requisitioned from this state's account in the Unemployment Trust Fund. Except as herein otherwise provided, money in the clearing and benefit accounts may be deposited by the treasurer under the direction of the commissioner in any bank or public depository in which general funds of the state may be deposited, but no public deposit insurance charge or premium shall be paid out of the fund. The treasurer shall be bonded ~~under the blanket surety bond~~ or insured as required by section 11-201.

Sec. 23. Section 48-721, Revised Statutes Supplement, 2002, is amended to read:

48-721. The commissioner shall appoint a state boiler inspector who shall work under the direct supervision of the commissioner or his or her designee and devote his or her full time to the duties of the office. The person so appointed shall (1) be a practical boilermaker, technical engineer, operating engineer, or boiler inspector and hold a commission from the National Board of Boiler and Pressure Vessel Inspectors with an "A" endorsement. The state boiler inspector shall also either hold a "B" endorsement to his or her commission or acquire a "B" endorsement within eighteen months of appointment, (2) be qualified by not less than ten years' experience in the construction, installation, repair, inspection, or operation of boilers, steam generators, and superheaters, (3) have a knowledge of their operation and use for the generating of steam for power, heating, or other purposes, and (4) neither directly nor indirectly be interested in the manufacture, ownership, or agency of the same. The commissioner may appoint deputy inspectors as necessary to carry out the Boiler Inspection Act. Deputy inspectors shall hold a commission from the National Board of Boiler and Pressure Vessel Inspectors or acquire the same within twelve months of appointment. Such deputy inspectors shall otherwise be subject to and governed by the same rules and regulations applicable to and governing the acts and conduct of the state boiler inspector. Before entering upon his or

her duties under the Boiler Inspection Act, the state boiler inspector and each deputy inspector shall be bonded ~~under the blanket surety bond~~ or insured as required by section 11-201.

Sec. 24. Section 48-804.03, Reissue Revised Statutes of Nebraska, is amended to read:

48-804.03. The clerk of the Commission of Industrial Relations shall be bonded ~~under the blanket surety bond~~ or insured as required by section 11-201 before entering upon or discharging any of the duties of his or her office. Such clerk shall, before entering upon the duties of his or her office, take and subscribe the statutory oath of office.

Sec. 25. Section 53-109, Reissue Revised Statutes of Nebraska, is amended to read:

53-109. Before entering upon the duties of his or her office, each commissioner shall be bonded ~~under the blanket surety bond~~ or insured as required by section 11-201. Employees of the commission who are accountable for public funds shall be bonded ~~under the blanket surety bond~~ or insured as required by section 11-201 to secure the safety of such funds. The premium ~~on all bonds provided for in this section~~ shall be paid by the State of Nebraska out of the General Fund. Before entering upon the duties of his or her office, the executive director of the commission shall be bonded ~~under the blanket surety bond~~ or insured as required by section 11-201.

Sec. 26. Section 54-191, Revised Statutes Supplement, 2002, is amended to read:

54-191. The Nebraska Brand Committee is hereby created. The brand committee shall consist of the Secretary of State, who shall be chairperson, and four members appointed by the Governor. Three appointed members shall be active cattlemen and one appointed member shall be an active cattle feeder. The appointed members shall be owners of cattle within the brand inspection area, shall reside within the brand inspection area, shall be owners of Nebraska-recorded brands, and shall be persons whose principal business and occupation is the raising or feeding of cattle within the brand inspection area. The terms of the members shall be four-year, staggered terms. At the expiration of the term of an appointed member, the Governor shall appoint a successor. Members serving on August 28, 1999, shall be considered appointed to serve the remainder of the term to which they were appointed. If there is a vacancy on the brand committee, the Governor shall fill such vacancy by appointing a member to serve during the unexpired term of the member whose office has become vacant. The action of a majority of the members shall be deemed the action of the brand committee. No appointed member shall hold any elective or appointive state or federal office while serving as a member of the brand committee. Each appointed member and each brand committee employee who collects or who is the custodian of any funds shall be ~~covered by the blanket bond of the State of Nebraska~~ bonded or insured as required under section 11-201. The appointed members of the brand committee shall be paid their actual and necessary traveling expenses in attending meetings of the brand committee or in performing any other duties that are prescribed in the Livestock Brand Act or section 54-415, as provided for in sections 81-1174 to 81-1177.

The purpose of the Nebraska Brand Committee is to protect Nebraska brand and livestock owners from the theft of livestock through established brand recording, brand inspection, and livestock theft investigation.

Sec. 27. Section 55-123, Reissue Revised Statutes of Nebraska, is amended to read:

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

Sec. 28. Section 55-126, Reissue Revised Statutes of Nebraska, is amended to read:

55-126. The deputy adjutant general shall aid the Adjutant General by the performance of such duties as may be assigned by the Adjutant General. In case of absence or inability of the Adjutant General, the deputy adjutant general shall perform all or such portion of the duties of the Adjutant General as the latter may expressly delegate to him or her. The deputy adjutant general shall be bonded ~~under the blanket surety bond~~ or insured as required by section 11-201. The deputy adjutant general shall receive such

salary as the Adjutant General shall direct, payable monthly. Such salary shall not exceed the annual pay and allowances of regular military officers of equal rank.

Sec. 29. Section 55-127, Reissue Revised Statutes of Nebraska, is amended to read:

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

Sec. 30. Section 55-150, Reissue Revised Statutes of Nebraska, is amended to read:

55-150. Commanders of organizations and units and all other officers who are responsible for public military property shall execute and deliver to the Adjutant General a bond, in such sum as the Governor may direct, not exceeding five thousand dollars, payable to the State of Nebraska, with sufficient sureties, to be approved by the Governor, conditioned for the proper care and use of ~~said~~ such public property, and the return of same, in good order, ordinary wear and unavoidable loss and damage excepted; and in case of such loss or damage, the bond shall require the officer to immediately furnish the Adjutant General with properly attested affidavits, setting forth all the facts attending such loss or damage. Officers who are employees, as defined by section 81-1302, of the Military Department shall be bonded ~~under the blanket surety bond~~ or insured as required by section 11-201.

Sec. 31. Section 57-917, Reissue Revised Statutes of Nebraska, is amended to read:

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

Sec. 32. Section 60-1303, Revised Statutes Supplement, 2003, is amended to read:

60-1303. (1) The Nebraska State Patrol is hereby designated as the agency to operate the weighing stations and portable scales and to perform carrier enforcement duties.

(2) (a) On and after July 20, 2002, officers of the Nebraska State Patrol appointed to operate the weighing stations and portable scales and to perform carrier enforcement duties shall be known as the carrier enforcement division. The Superintendent of Law Enforcement and Public Safety shall appoint officers of the Nebraska State Patrol to the carrier enforcement division, including officers as prescribed in sections 81-2001 to 81-2009, and carrier enforcement officers as prescribed in sections 60-1301 to 60-1309.

(b) The employees within the Nebraska State Patrol designated to operate the weighing stations and portable scales and to perform carrier enforcement duties before July 20, 2002, and not authorized to act under subdivisions (1) through (8) of section 81-2005 shall be known as carrier enforcement officers.

(3) All carrier enforcement officers shall be bonded ~~under the blanket surety bond~~ or insured as required by section 11-201. Premiums ~~on the bond~~ shall be paid from the money appropriated for the construction, maintenance, and operation of the state weighing stations.

(4) All employees of the Nebraska State Patrol who are carrier enforcement officers and who are not officers of the Nebraska State Patrol with the powers and duties prescribed in sections 81-2001 to 81-2009 shall be members of the State Employees Retirement System of the State of Nebraska. Officers of the Nebraska State Patrol who are carrier enforcement officers on July 20, 2002, who subsequently become officers of the Nebraska State Patrol with the powers and duties prescribed in sections 81-2001 to 81-2009, and who elect to remain members of the State Employees Retirement System of the State of Nebraska shall continue to participate in the State Employees Retirement System of the State of Nebraska. Carrier enforcement officers shall not receive any expense allowance as provided for by section 81-2002.

(5) The Nebraska State Patrol and the Department of Roads shall have the duty, power, and authority to contract with one another for the staffing and operation of weighing stations and portable scales and the performance of carrier enforcement duties to ensure that there is adequate personnel in the carrier enforcement division to carry out the duties specified in sections 60-1301 to 60-1309. Through June 30, 2005, the number of full-time equivalent positions funded pursuant to such contract shall be limited to eighty-eight officers, including carrier enforcement officers as prescribed in sections 60-1301 to 60-1309 and officers of the Nebraska State Patrol as prescribed in sections 81-2001 to 81-2009 assigned to the carrier enforcement division. Pursuant to such contract, command of the personnel involved in such carrier enforcement operations shall be with the Nebraska State Patrol. The Department of Roads may use any funds at its disposal for its financing of such carrier enforcement activity in accordance with such contract as long as such funds are used only to finance those activities directly involved with the duties specified in sections 60-1301 to 60-1309. The Nebraska State Patrol shall account for all appropriations and expenditures related to the staffing and operation of weighing stations and portable scales and the performance of carrier enforcement duties in a budget program that is distinct and separate from budget programs used for non-carrier-enforcement-division-related activities.

(6) The Nebraska State Patrol may adopt, promulgate, and enforce rules and regulations consistent with statutory provisions related to carrier enforcement necessary for (a) the collection of fees, as outlined in sections 60-305.03 and 66-492 and the International Fuel Tax Agreement Act, (b) the inspection of licenses and permits required under the motor fuel laws, and (c) weighing and inspection of buses, motor trucks, truck-tractors, semitrailers, trailers, and towed vehicles.

(7) There is hereby created the Carrier Enforcement Cash Fund which shall be administered by the Nebraska State Patrol and used for the operation of the carrier enforcement division. Any money in the Carrier Enforcement Cash Fund available for investment shall be invested by the state investment officer pursuant to the Nebraska Capital Expansion Act and the Nebraska State Funds Investment Act.

(8) The State Treasurer shall transfer nine hundred ninety-three thousand two hundred eighty-one dollars from the Carrier Enforcement Cash Fund to the Nebraska State Patrol Cash Fund within five days after May 27, 2003.

Sec. 33. Section 60-1502, Reissue Revised Statutes of Nebraska, is amended to read:

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

Sec. 34. Section 71-222.01, Reissue Revised Statutes of Nebraska, is amended to read:

71-222.01. The director, under the supervision of the Board of Barber Examiners, shall administer the provisions of sections 71-201 to 71-237, and shall serve at the pleasure of the board. His or her salary shall be fixed by the board. ~~He~~ The director shall devote full time to the duties of his office. No person shall be eligible to the office of director who has not been engaged in the active practice of barbering as a registered barber in the state for at least five years immediately preceding his appointment. No member of the Board of Barber Examiners shall be eligible to the office of director during his or her term. The director shall be bonded ~~under the blanket surety bond~~ or insured as required by section 11-201. The premium ~~on such bond~~ shall be paid as an expense of the board.

Sec. 35. Section 72-1241, Reissue Revised Statutes of Nebraska, is amended to read:

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

Sec. 36. Section 77-366, Reissue Revised Statutes of Nebraska, is amended to read:

77-366. (1) The Tax Commissioner shall appoint or employ deputies, investigators, inspectors, agents, security personnel, and other persons as he or she deems necessary to administer and effectively enforce all provisions of the revenue laws of this state. The appointed personnel shall hold office at the pleasure of the Tax Commissioner. Any appointed or employed personnel shall perform the duties assigned by the Tax Commissioner.

(2) All personnel appointed or employed by the Tax Commissioner shall be bonded ~~under the blanket surety bond~~ or insured as required by section 11-201. As specified by the Tax Commissioner, certain personnel shall be vested with the authority and power of a law enforcement officer to carry out the laws of this state administered by the Tax Commissioner or the Department of Revenue. Such personnel shall be empowered to arrest with or without a warrant, file and serve any lien, seize property, serve and return a summons, warrant, or subpoena issued by the Tax Commissioner, collect taxes, and bring an offender before any court with jurisdiction in this state, except that such personnel shall not be authorized to carry weapons or enforce any laws other than laws administered by the Tax Commissioner or the Department of Revenue.

(3) Subsection (2) of this section shall not be construed to restrict any other law enforcement officer of this state from enforcing any state law, revenue or otherwise.

Sec. 37. Section 77-703, Reissue Revised Statutes of Nebraska, is amended to read:

77-703. All personnel employed by the Property Tax Administrator shall be bonded ~~under the blanket surety bond~~ or insured as required by section 11-201.

Sec. 38. Section 80-401.02, Reissue Revised Statutes of Nebraska, is amended to read:

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 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 the Governor shall present to the Legislature 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 81-1174 to 81-1177. He or she shall be bonded ~~under the blanket surety bond~~ or insured as required by section 11-201. The director shall appoint state service officers and assistants, whose appointments shall be approved by the Veterans' Advisory Commission.

The department shall be the designated state agency to advocate on behalf of veterans.

Sec. 39. Section 81-111, Reissue Revised Statutes of Nebraska, is amended to read:

81-111. Each head of a department shall be bonded ~~under the blanket surety bond~~ or insured as required by section 11-201, which bond or policy

shall be filed in the office of the Secretary of State.

Sec. 40. Section 81-151, Reissue Revised Statutes of Nebraska, is amended to read:

81-151. Before entering upon the discharge of his or her duties, the materiel administrator shall be bonded ~~under the blanket surety bond or insured~~ as required by section 11-201. Neither expiration of term of office nor removal therefrom shall operate as a discharge of the bond or termination of the insurance, but it shall remain in full force and effect as provided by law. The premium ~~on the bond~~ shall be paid by the state.

Sec. 41. Section 81-8,128, Reissue Revised Statutes of Nebraska, is amended to read:

81-8,128. There is hereby established the position of State Athletic Commissioner. The commissioner shall be appointed by the Governor and shall hold office for a term of two years commencing the first Thursday after the first Tuesday of January in each odd-numbered year. The commissioner shall receive such salary as the Governor may elect but not to exceed four thousand five hundred dollars annually and shall be bonded ~~under the blanket surety bond or insured~~ as required by section 11-201. The commissioner may be reappointed for successive terms.

The office of the commissioner shall be located within the Charitable Gaming Division of the Department of Revenue. The commissioner may exercise and perform his or her powers and duties at any location in the state. The commissioner may employ assistants and fix their compensation in conjunction with the Charitable Gaming Division. The compensation of assistants shall be paid through the Charitable Gaming Operations Fund.

Sec. 42. Section 81-8,141, Reissue Revised Statutes of Nebraska, is amended to read:

81-8,141. (1) Whenever any club, corporation, association, or person shall fail to make a report of any contest at the time prescribed by section 81-8,135, or whenever such report is unsatisfactory to the State Athletic Commissioner, he or she may examine, or cause to be examined, the books and records of such club, corporation, association, or person, and subpoena and examine under oath any officers or persons as witnesses for the purpose of determining the total amount of the gross receipts for any contest and the amount of taxes due pursuant to the provisions of section 81-8,135, which tax the commissioner may, upon and as a result of such examination, fix and determine. In case of a default in the payment of any taxes so adjudged to be due, together with the expenses incurred in making such examination, for a period of twenty days after notice to such delinquent club, corporation, association, or person of the amount, such delinquent club, corporation, association, or person shall ipso facto forfeit its, his, or her license and shall be thereby disqualified from receiving any new license, or any renewal of its, his, or her license. It, he, or she shall in addition thereto forfeit to the people of the State of Nebraska the sum of one thousand dollars in the case of amateur licenses and five thousand dollars in the case of professional licenses, which sum may be recovered by the Attorney General in the name of the people of the State of Nebraska in the same manner as other penalties are by law recovered.

(2) The State Athletic Commissioner may employ persons to inspect and collect the taxes required to be submitted to the commission under section 81-8,135. Any such inspector shall be bonded ~~under the blanket surety bond or insured~~ as required by section 11-201.

Sec. 43. Section 81-1108.14, Reissue Revised Statutes of Nebraska, is amended to read:

81-1108.14. The administrator shall, before entering upon the discharge of the duties of his office, be bonded ~~under the blanket surety bond or insured~~ as required by section 11-201. The premium ~~on the bond~~ shall be paid by the state.

Sec. 44. Section 81-2002, Reissue Revised Statutes of Nebraska, is amended to read:

81-2002. The superintendent, also designated as colonel, shall, with the approval of the Governor, appoint such subordinate officers of the Nebraska State Patrol as lieutenant colonel, majors, captains, lieutenants, sergeants, corporals, ~~patrolmen~~ patrol officers, and such other employees as may be necessary to carry out the provisions of this act. The salaries of all such appointees shall be fixed by the superintendent, with the approval of the Governor. In addition to his or her salary, each sworn employee of the Nebraska State Patrol shall receive an expense allowance of one hundred dollars per month. All such appointees shall be bonded ~~under the blanket surety bond or insured~~ as required by section 11-201. Premiums ~~on all of such bonds~~ shall be paid from the fund appropriated to the Nebraska State Patrol.

Sec. 45. Section 83-128, Reissue Revised Statutes of Nebraska, is

amended to read:

83-128. Each official and employee who is given the custody of funds or property of the state shall be bonded ~~under the blanket surety bond~~ or insured as required by section 11-201.

Sec. 46. Section 83-139, Reissue Revised Statutes of Nebraska, is amended to read:

83-139. The steward of each institution shall have charge of all supplies for that institution, and shall be charged therewith at their invoice value. Supplies shall be issued only on requisition by the chief executive officer, and on printed blanks which shall serve as the steward's vouchers. The steward shall report monthly to the Department of Health and Human Services or the Department of Correctional Services, whichever has jurisdiction, the amounts of supplies received, used, and on hand. At the close of the biennial period the steward shall make a comprehensive report to the department showing all the transactions of his or her department. Any shortage, not allowed by the department for unavoidable causes, shall be paid for by the steward within ten days after the amount due is officially determined, and in default of payment the steward shall forfeit his or her office and suit to recover the amount shall be instituted upon his or her official bond or equivalent commercial insurance policy.

Sec. 47. Section 84-106, Reissue Revised Statutes of Nebraska, is amended to read:

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

Sec. 48. Section 84-206, Reissue Revised Statutes of Nebraska, is amended to read:

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

Sec. 49. Section 84-314, Reissue Revised Statutes of Nebraska, is amended to read:

84-314. The Auditor of Public Accounts shall have the power to appoint a deputy, who shall give a bond or equivalent commercial insurance policy to the State of Nebraska (1) with good and sufficient surety, (2) in the amount required by section 11-119, (3) to be approved by the Governor, and (4) deposited with the Secretary of State. When so appointed the deputy may do and perform in the absence of the auditor such acts herein authorized and required of the auditor, as the auditor may authorize him or her to do, subject to the same restrictions. The deputy auditor shall receive a salary of such amount as shall be fixed by the Auditor of Public Accounts, to be paid monthly by warrant of the auditor on the State Treasurer. The deputy auditor shall have had not less than five years' experience either as an auditor or in an executive capacity involving responsibility for directing the work of others engaged in governmental accounting or auditing, or both, and in addition shall be a certified public accountant.

Sec. 50. Section 84-502, Revised Statutes Supplement, 2003, is amended to read:

84-502. It shall be the duty of the Secretary of State:

(1) To countersign and affix the seal of the state to all commissions required by law to be issued by the Governor;

(2) To keep a register of all such commissions specifying the person to whom granted, the office conferred, the date of signing the commission, and, when bond or an equivalent commercial insurance policy is taken, the date and amount thereof and the names of the sureties;

(3) To make and keep proper indexes to the records and all public acts, resolutions, papers, and documents in his or her office;

(4) To give any person requiring the same, and paying the lawful fees therefor, a copy of any law, act, resolution, record, or paper in his or her office, and attach thereto his or her certificate under the seal of the state;

(5) To distribute the laws and journals as authorized by section 49-501 and keep an account thereof; and

(6)(a) To act as the chief protocol officer of the State of Nebraska;

(b) In coordination with the Governor, the Department of Economic Development, the Department of Agriculture, and other interested federal, state, and local officials, to actively seek appropriate contacts with other officials in nations with which the state has or desires to have active trade, cultural, or educational relations; and

(c) To help facilitate the interchange of ideas and contacts for betterment of commerce, cultural exchange, or educational studies between such nations and the state.

Sec. 51. Section 84-505, Reissue Revised Statutes of Nebraska, is amended to read:

84-505. All public acts, laws, and resolutions passed by the Legislature of the state shall be carefully deposited in the office of the Secretary of State, and the secretary is charged with the safekeeping of ~~said~~ such office and all laws, acts, resolutions, bonds or equivalent commercial insurance policies, papers, and records which are or shall be deposited therein. Such records may be transferred to the State Archives of the Nebraska State Historical Society or other suitable records storage facility, when authorization is given by the State Records Administrator pursuant to ~~sections 84-1201 to 84-1220~~ the Records Management Act.

Sec. 52. Section 84-718, Reissue Revised Statutes of Nebraska, is amended to read:

84-718. Whenever an issue arises involving the status or other legal relations of an elective constitutional state officer, or the validity, terms, or duration of his or her official bond or equivalent commercial insurance policy, and the issue is within the original jurisdiction of the Supreme Court of Nebraska, such officer is authorized to institute an action in his or her own name in ~~said~~ such court for the purpose of determining such issues, and to make the State of Nebraska and any other person, firm, or corporation parties defendant therein. The State of Nebraska consents to be sued in any such action.

Sec. 53. Section 84-801, Reissue Revised Statutes of Nebraska, is amended to read:

84-801. The Auditor of Public Accounts, State Treasurer, and State Librarian respectively, may appoint a deputy for whose acts he or she shall be responsible. The appointment shall be in writing and shall be revocable in writing by the principal. The deputy shall be bonded ~~under the blanket surety bond~~ or insured as required by section 11-201. Both the appointment and revocation shall be filed and kept by the principal.

Sec. 54. Original sections 2-1201, 3-103, 8-104, 8-1,101, 9-807, 11-121, 11-201.01, 11-202, 25-2101, 25-21,207, 25-21,218, 32-561, 32-602, 48-158, 48-609, 48-804.03, 53-109, 55-123, 55-126, 55-127, 55-150, 57-917, 60-1502, 71-222.01, 72-1241, 77-366, 77-703, 80-401.02, 81-111, 81-151, 81-8,128, 81-8,141, 81-1108.14, 81-2002, 83-128, 83-139, 84-106, 84-206, 84-314, 84-505, 84-718, and 84-801, Reissue Revised Statutes of Nebraska, sections 8-197, 11-119, 37-110, 37-431, 48-618, 48-721, and 54-191, Revised Statutes Supplement, 2002, and sections 8-105, 11-201, 60-1303, and 84-502, Revised Statutes Supplement, 2003, are repealed.