

LEGISLATIVE BILL 626

Approved by the Governor March 26, 1987

Introduced by Hartnett, 45; Abboud, 12

AN ACT relating to the military; to amend section 80-201, Reissue Revised Statutes of Nebraska, 1943, and section 80-401.01, Revised Statutes Supplement, 1986; to authorize the erection of memorials to persons who served in the Korean and Vietnam conflicts; to redefine a term; to repeal the original sections; and to declare an emergency.

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

Section 1. That section 80-201, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

80-201. All counties, townships, cities, and villages of Nebraska ~~are authorized to~~ may erect, or aid in the erection of statues, monuments, or other memorials commemorating the services of the ~~soldiers and sailors~~ members of the armed forces of the Civil, Spanish-American, or World Wars or the Korean or Vietnam conflict, to be located upon the public lands or within the public buildings within such county, township, city, or village.

Sec. 2. That section 80-401.01, Revised Statutes Supplement, 1986, be amended to read as follows:

80-401.01. As used in this act, unless the context otherwise requires:

(1) A recognized veterans' organization shall mean a veterans' organization that has been chartered by the Congress of the United States, which maintains a fully staffed state headquarters, and which, at the time an appointment is to be made, shall have enrolled in its membership in Nebraska at least ten per cent of the World War I, World War II, Korean War, and Vietnam War veterans eligible therefor and the Disabled American Veterans' organization shall have enrolled in its membership in Nebraska at least ten per cent of those Nebraska veterans receiving service-connected compensation from the Veterans' Administration;

(2) Veteran of World War I shall mean a person who served on active duty in the armed forces of the United States between April 6, 1917, and November 11,

1918, and who has received an honorable discharge, or its equivalent, from such service or who, being a citizen resident of the United States at the time of his or her entry into such service, served with the military forces of any government allied with the United States in that war;

(3) Veteran of World War II shall mean a person who served on active duty in the armed forces of the United States between December 7, 1941, and December 31, 1946, and who received an honorable discharge, or its equivalent, from such service or who, being a citizen of the United States at the time of his or her entry into such service, served with the military forces of any government allied with the United States in that war and who received an honorable discharge, or its equivalent, from such service;

(4) Veteran of the Korean War shall mean a person who served on active duty in the armed forces of the United States between June 25, 1950, and January 31, 1955, and who received an honorable discharge, or its equivalent, from such service or who, being a citizen of the United States at the time of his or her entry into such service, served with the military forces of any government allied with the United States in that war and who received an honorable discharge, or its equivalent, from such service;

(5) Veteran of the Vietnam War shall mean a person who served on active duty in the armed forces of the United States between August 5, 1964, and May 7, 1975, and who received an honorable discharge, or its equivalent, from such service or who, being a citizen of the United States at the time of his or her entry into such service, served with the military forces of any government allied with the United States in that war and who received an honorable discharge, or its equivalent, from such service;

(6) Veteran of the Spanish-American War shall mean a person who served on active duty in the armed forces of the United States between April 21, 1898, and July 4, 1902, and received an honorable discharge, or its equivalent, from such service or who, being a citizen of the United States at the time of his or her entry into such service, served with the military forces of any government allied with the United States in that war;

(7) Active duty shall mean full-time duty in the armed forces, other than active duty for training; and

(8) Active duty for training shall mean

full-time duty in the armed forces performed by reserves for training purposes.

Sec. 3. That original section 80-201, Reissue Revised Statutes of Nebraska, 1943, and section 80-401.01, Revised Statutes Supplement, 1986, are repealed.

Sec. 4. Since an emergency exists, this act shall be in full force and take effect, from and after its passage and approval, according to law.