

**35-901. Volunteer departments; trust fund; established; use; public funds; restrictions; express authorization required; when; section, how construed; expenditures of public funds; procedure; gambling money; restrictions.** (1) For purposes of this section, volunteer department shall mean volunteer fire department or volunteer first-aid, rescue, or emergency squad or volunteer fire company serving any city, village, county, township, or rural or suburban fire protection district (2) Except as provided in subsection (4) of this section, each volunteer department may establish a volunteer department trust fund. All general donations or contributions, bequests, or annuities made to the volunteer department and all money raised by or for the volunteer department shall be deposited in the trust fund. The trust fund shall be under the control of the volunteer department, and the volunteer department may make expenditures from the trust fund as it deems necessary. The treasurer of the volunteer department shall be the custodian of the trust fund.(3) The trust fund shall not be considered public funds or funds of any city, village, county, township, or rural or suburban fire protection district for any purpose, including the Nebraska Budget Act, nor shall any city, village, county, township, or rural or suburban fire protection district incur any liability solely by reason of any expenditure from such fund except liability for property when any city, village, county, township, or rural or suburban fire protection district receives title to property acquired with money from such fund.(4)(a) If the total amount of expenditures and receipts in the trust fund exceeds one hundred thousand dollars in any twelve-month period, the volunteer department shall inform any city, village, county, township, or rural or suburban fire protection district receiving service from the department and such entity may examine or cause to be examined all books, accounts, vouchers, records, and expenditures with regard to the trust fund. (b) Funds, fees, or charges solicited, collected, or received by a volunteer department that are (i) in consequence of the performance of fire or rescue services by the volunteer department at a given place and time, (ii) accomplished through the use by the volunteer department of equipment owned by the taxing authority supporting such department and provided to the volunteer department for that purpose, and (iii) paid by or on behalf of the recipient of those services shall not be deposited in a trust fund authorized by this section. Such funds are public funds of the taxing authority supporting the volunteer department and are deemed to have been collected by the volunteer department as the agent of the taxing authority and are held by the department on its behalf. If such funds are in the possession of a volunteer department, the taxing authority shall cause all the books, accounts, records, vouchers, expenditures, and statements regarding such funds to be examined and independently audited at the expense of the taxing authority by a qualified professional auditor or the Auditor of Public Accounts for the immediately preceding five years. (5) Nothing in this section shall be construed or deemed to permit a violation of the Nebraska Liquor Control Act.(6) All expenditures of public funds as defined in the Nebraska Budget Act for support of a volunteer department or its purposes shall be submitted as claims, approved by the taxing authority supporting such department or its purposes, and published as required by law. All such claims shall be properly itemized for proposed expenditure or reimbursement for costs already incurred and paid except as may be otherwise permitted pursuant to section 35-106.(7) All money raised pursuant to the Nebraska Bingo Act, the Nebraska Lottery and Raffle Act, the Nebraska Pickle Card Lottery Act, and the Nebraska Small Lottery and Raffle Act shall be subject to such acts with respect to the deposit and expenditure of such money.(8) No volunteer department shall solicit, charge, or collect any funds, fees, or charges as described in subdivision (4)(b) of this section without the express authorization of the taxing authority supporting the department by vote of a majority of the members of the governing body of such taxing authority. Such authorization shall not extend beyond a twelve-month period but may be renewed at the discretion of the taxing authority in the same manner in which it was initially granted. Upon collection or receipt, such funds, fees, or charges shall be remitted to the designated officer of the taxing authority for deposit to the account of the taxing authority. The taxing authority may appropriate and expend some or all of such funds for the support of a service award benefit program adopted and conducted pursuant to the Volunteer Emergency Responders Recruitment and Retention Act.

**Source:** Laws 1993, LB 516, § 1; ; Laws 2008, LB1096, § 4; Effective date July 18, 2008

**Cross Reference**

Nebraska Bingo Act, see section 9-201.  
 Nebraska Budget Act, see section 13-501.  
 Nebraska Liquor Control Act, see section 53-101.  
 Nebraska Lottery and Raffle Act, see section 9-401.  
 Nebraska Pickle Card Lottery Act, see section 9-301.  
 Nebraska Small Lottery and Raffle Act, see section 9-501.

RATES THAT MAY BE CHARGED BY THE LEXINGTON FIRE DEPARTMENT

A. Response vehicles: charges will be made to the closest 1/4 hr. Charges include personnel costs. Mileage will be charged at \$8.00 per mile per vehicle.

1.	Pumper truck	\$500.00/hr
2.	Tanker truck	\$350.00/hr
3.	Grass Rig	\$150.00/hr
4.	Aerial ladder truck	\$750.00/hr
5.	Utility truck	\$200.00/hr
6.	Rescue Unit	\$250.00/hr
7.	Other _____	\$ _____.

B. Equipment charges:

1.	Jaws of Life	\$250.00
2.	Power saw	\$75.00
3.	Hydraulic jack/chisels	\$75.00
4.	Cribbing Blocks	\$10.00
5.	Wenches	\$10.00
6.	Air Bags	\$50.00
7.	High Lift Jack	\$20.00
8.	Other	
	_____	\$ _____
	_____	\$ _____
	_____	\$ _____

C. Supplies:

1.	Safety flares	\$10.00 each
2.	Class A foam	\$95.00 per five gallon
3.	Class AFFF foam	\$165.00 per five gallon
4.	Absorbent Pads	\$15.00 each
5.	Absorbent material	\$15.00 per bag
6.	Salvage Covers	\$60.00 each
7.	Floor Dry	\$10.00 per bag
8.	Other	
	a. _____	\$ _____
	b. _____	\$ _____
	c. _____	\$ _____

The above rates are hereby approved by the Lexington Rural Fire Protection District and may be used by the Lexington Fire Department for invoicing for services provided.

\_\_\_\_\_  
President /Chairperson

\_\_\_\_\_  
Date

**LEXINGTON FIRE DEPARTMENT**  
**FIRE-EXTRICATION-HAZMAT INFORMATION/BILLING FORM**

Date of Incident \_\_\_\_\_

- \_\_\_\_\_ STRUCTURAL FIRE
- \_\_\_\_\_ AUTO ACCIDENT
- \_\_\_\_\_ HAZARDOUS MATERIAL INCIDENT
- \_\_\_\_\_ VEHICLE FIRE
- \_\_\_\_\_ EXTRICATION CALL
- \_\_\_\_\_ WATER RESCUE/RECOVERY

- \_\_\_\_\_ DISPATCH TIME
- \_\_\_\_\_ BACK IN SERVICE TIME
- \_\_\_\_\_ INCIDENT NUMBER
- \_\_\_\_\_ MILEAGE

LOCATION OF INCIDENT: \_\_\_\_\_

BRIEF DESCRIPTION OF THE INCIDENT: \_\_\_\_\_

NAME OF INSURED: \_\_\_\_\_

ADDRESS: \_\_\_\_\_ CITY: \_\_\_\_\_ STATE \_\_\_\_\_ ZIP \_\_\_\_\_

NAME OF INSURANCE COMPANY: \_\_\_\_\_

POLICY NUMBER: \_\_\_\_\_ AGENT: (IF AVAILABLE) \_\_\_\_\_ Tel# \_\_\_\_\_

ADDRESS: (IF AVAILABLE) \_\_\_\_\_

*IF OTHERS ARE INVOLVED COMPLETE THE SUPPLEMENTAL INFORMATION FORM*

**ACTION TAKEN:**

- |                        |                                |                             |
|------------------------|--------------------------------|-----------------------------|
| _____ INCIDENT COMMAND | _____ EXTINGUISH FIRE          | _____ LAND HELICOPTER       |
| _____ SCENE SAFETY     | _____ ASSIST EMS               | _____ ASSIST OTHER AGENCIES |
| _____ SECURE SCENE     | _____ EXTRICATE PATIENT(S)     | _____ WATER RESCUE          |
| _____ SECURE VEHICLE   | _____ CLEAN UP HAZMAT          |                             |
| _____ TRAFFIC CONTROL  | _____ CLEAN UP ACCIDENT DEBRIS |                             |

NARRATIVE: \_\_\_\_\_

**RESPONSE VEHICLES**

- |                       |   |                                |
|-----------------------|---|--------------------------------|
| _____ PUMPER _____/hr | _____ AERIAL LADDER TRUCK _____/hr      | _____ COMMAND VEHICLE _____/hr |
| _____ PUMPER _____/hr | _____ GRASS RIG _____/hr                |                                |
| _____ TANKER _____/hr | _____ UTILITY TRUCK _____/hr            |                                |
| _____ TANKER _____/hr | _____ RESCUE UNIT/WATER RESCUE _____/hr |                                |

**EQUIPMENT USED**

- |                              |                       |                       |
|------------------------------|-----------------------|-----------------------|
| _____ JAWS OF LIFE           | _____ CRIBBING BLOCKS | _____ VENTILATING FAN |
| _____ POWER SAW              | _____ WINCHES         |                       |
| _____ HYDRAULIC JACK/CHISELS | _____ AIR BAGS        |                       |
| _____ OTHER _____            |                       |                       |

**SUPPLIES**

- |                      |                        |                       |
|----------------------|------------------------|-----------------------|
| _____ SAFETY FLARES  | _____ CLASS A FOAM     | _____ CLASS AFFF FOAM |
| _____ ABSORBANT PADS | _____ # BAGS ABSORBANT |                       |
| OTHER SUPPLIES _____ |                        |                       |

DAMAGED EQUIPMENT (Department equipment damaged at the scene)

DAMAGED EQUIPMENT CHARGES \_\_\_\_\_

**FAX IMMEDIATELY TO FIRE-EXTRICATION-HAZMAT BILLING AT 402-489-8683**  
**OR SEND TO**  
**FIRE-EXTRICATION-HAZMAT BILLING, LLP**  
**2010 So. 80th St.**  
**LINCOLN, NE 68506**