

LEGISLATURE OF NEBRASKA

ONE HUNDRED SECOND LEGISLATURE

FIRST SESSION

**LEGISLATIVE BILL 38**

Introduced by Haar, 21.

Read first time January 06, 2011

Committee: Natural Resources

A BILL

1 FOR AN ACT relating to public power districts; to amend section  
2 70-619, Reissue Revised Statutes of Nebraska; to change  
3 provisions relating to membership on boards; and to  
4 repeal the original section.  
5 Be it enacted by the people of the State of Nebraska,

1           Section 1. Section 70-619, Reissue Revised Statutes of  
2 Nebraska, is amended to read:

3           70-619 The corporate powers of the district shall be  
4 vested in and exercised by the board of directors of the district. No  
5 person shall be qualified to hold office as a member of the board of  
6 directors unless (1) he or she is a registered voter (a) of such  
7 chartered territory, (b) of the subdivision from which a director is  
8 to be elected if such chartered territory is subdivided for election  
9 purposes as provided in section 70-612, or (c) of one of the combined  
10 subdivisions from which directors are to be elected at large as  
11 provided in section 70-612 or (2) he or she is a retail customer duly  
12 certified in accordance with subsection (3) of section 70-604.03.

13           ~~No person who is a full-time or part-time employee of the~~  
14 ~~district shall be eligible to serve as a member of the board of~~  
15 ~~directors unless~~ A full-time or part-time employee of a public power  
16 district may not serve as a member of the board of directors of any  
17 public power district unless such person (1) resigns or (2) assumes  
18 an unpaid leave of absence for the term as a member. The employing  
19 district shall grant such leave of absence when requested by any  
20 employee for the purpose of the employee serving as a member of the  
21 such board of directors. No person shall be qualified to be a member  
22 of more than one such district board, except that a director of a  
23 rural public power district may serve as a director of another public  
24 power district formed or organized for the purpose of generating  
25 electric energy or transmitting electric energy exclusively for

1 ~~resale to some other public power districts, rural electric~~  
2 ~~cooperatives, and membership associations or municipalities.~~ No  
3 member of a governing body of any one of the municipalities within  
4 the areas of the district shall be qualified to serve on the original  
5 board of directors under sections 70-603 to 70-609.

6           Sec. 2. Original section 70-619, Reissue Revised Statutes  
7 of Nebraska, is repealed.