

## LEGISLATIVE BILL 345

Approved by the Governor April 23, 1987

Introduced by Lamb, 43

AN ACT relating to public power districts; to amend section 70-625, Reissue Revised Statutes of Nebraska, 1943; to provide public power districts with additional powers relating to telecommunications; to repeal the original section; and to declare an emergency.

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

Section 1. That section 70-625, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

70-625. Subject to the limitations of the petition for its creation and all amendments thereto, a public power district shall have all the usual powers of a corporation for public purposes and may purchase, hold, sell, and lease personal property and real estate reasonably necessary for the conduct of its business. ~~No , except that such district may shall not~~ sell household appliances at retail if the retail price of any such appliance exceeds fifty dollars, ~~except ; PROVIDED;~~ that newly developed electrical appliances may be merchandised and sold during the period of time in which any such appliances are being introduced to the public. ~~New ; AND PROVIDED FURTHER; that new models of existing appliances shall not be deemed to be newly developed appliances.~~ An electrical appliance shall be considered to be in such introductory period of time until the particular type of appliance is used by twenty-five per cent of all the electrical customers served by such district, but such period shall in no event exceed five years from the date of introduction by the manufacturer of the new appliance to the local market.

In addition to its powers authorized by Chapter 70 and specified in its petition for creation as amended, a public power district may sell, lease, and service satellite television signal descrambling or decoding devices and satellite television programming, except that nothing in this section shall authorize public power districts (1) to operate as contract or common carriers engaged in furnishing communication services for hire in Nebraska intrastate commerce or (2)

to provide signal descrambling or decoding devices or satellite programming to any location (a) being furnished such devices or programming on the effective date of this act, or (b) where community antenna television service is available from any person, firm, or corporation holding a franchise pursuant to sections 18-2201 to 18-2206 or a permit pursuant to sections 23-383 to 23-388 on the effective date of this act.

Notwithstanding any law, ordinance, resolution, or regulation of any political subdivision to the contrary, each public power district may receive funds and extend loans pursuant to sections 76-1601 to 76-1651 and sections 76-1603.01 and 76-1622.01 to 76-1623.01.

Sec. 2. That original section 70-625, Reissue Revised Statutes of Nebraska, 1943, is repealed.

Sec. 3. Since an emergency exists, this act shall be in full force and take effect, from and after its passage and approval, according to law.