

LEGISLATURE OF NEBRASKA  
ONE HUNDREDTH LEGISLATURE  
FIRST SESSION  
**LEGISLATIVE BILL 207**  
FINAL READING

Introduced by Friend, 10

Read first time January 9, 2007

Committee: Urban Affairs

A BILL

1 FOR AN ACT relating to public utilities; to amend sections 14-2110  
2 and 14-2147, Reissue Revised Statutes of Nebraska, and  
3 sections 14-2109 and 14-2146, Revised Statutes Cumulative  
4 Supplement, 2006; to provide a power for the board  
5 of directors of a metropolitan utilities district;  
6 to harmonize provisions; and to repeal the original  
7 sections.

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

1           Section 1. Section 14-2109, Revised Statutes Cumulative  
2 Supplement, 2006, is amended to read:

3           14-2109 The board of directors of a metropolitan  
4 utilities district shall at its first regular meeting appoint a  
5 ~~general manager~~ an individual with an official title designated by  
6 the board who shall (1) act as secretary of such board, (2) have  
7 general supervision of the management, construction, operation,  
8 and maintenance of the utility plants and property under the  
9 jurisdiction of or owned by such metropolitan utilities district,  
10 subject to the direction of the board, (3) hold office at the  
11 pleasure of the board, (4) possess business training, executive  
12 experience, and knowledge of the development and operation of  
13 public utilities, (5) give bond for the faithful performance of  
14 his or her duties in the sum of not less than ten thousand  
15 dollars to be filed with and approved by the board of directors,  
16 (6) receive such compensation as the board may determine, which  
17 compensation shall not be decreased during the incumbency of any  
18 appointee, and (7) devote his or her exclusive time to the duties  
19 of the office. The board of directors may employ or authorize the  
20 employment of such other employees and assistants as may be deemed  
21 necessary for the operation and maintenance of the utility plants  
22 under its jurisdiction and of the conduct of the affairs of the  
23 board and provide for their compensation. The compensation of the  
24 ~~general manager~~ appointed individual and such employees shall be  
25 paid from funds under control of the board. In no event shall the

1 compensation, as a salary or otherwise, of any employee or officer  
2 exceed ten thousand dollars per annum unless approved by a vote of  
3 two-thirds or more of the members of the board of directors. The  
4 record of such vote of approval, together with the names of the  
5 directors so voting, shall be made a part of the permanent records  
6 of the board.

7           Sec. 2. Section 14-2110, Reissue Revised Statutes of  
8 Nebraska, is amended to read:

9           14-2110 No regular appointee or employee of the  
10 metropolitan utilities district, except the ~~general manager,~~  
11 individual appointed in section 14-2109, who has been in its  
12 service consecutively for more than one year and whose name has  
13 been placed, by a unanimous vote of the full board of directors,  
14 upon the permanent employees list provided for in the rules adopted  
15 by the board shall be subject to removal except upon a two-thirds  
16 vote of the full board and then only for cause which shall be  
17 stated in writing and filed with the secretary of the board at  
18 least ten days prior to a hearing preceding such removal.

19           Sec. 3. Section 14-2146, Revised Statutes Cumulative  
20 Supplement, 2006, is amended to read:

21           14-2146 The Auditor of Public Accounts and the person  
22 making the examination and audit pursuant to section 14-2145 shall  
23 have access to all books, records, vouchers, papers, contracts, or  
24 other data containing information on the subject in the office of  
25 the board of such metropolitan utilities district, in the office

1 of the ~~general manager of the district,~~ individual appointed in  
2 section 14-2109, or in the possession or under the control of any  
3 of the agents or employees of the district. It is hereby made the  
4 duty of all officers, agents, and employees of the district to  
5 furnish to the auditor and his or her agents and employees such  
6 information regarding the auditing of the metropolitan utilities  
7 district as may be demanded.

8           Sec. 4. Section 14-2147, Reissue Revised Statutes of  
9 Nebraska, is amended to read:

10           14-2147 Upon the completion of such examination and  
11 audit, the person making the same shall file and furnish to the  
12 village or city clerk of each village or city within the district  
13 one copy of his or her report. Another copy shall be furnished  
14 to the county board of the counties in which the metropolitan  
15 utilities district is located. A copy shall also be placed on file  
16 with the ~~manager of the metropolitan utilities district.~~ individual  
17 appointed in section 14-2109. The original copy shall be filed in  
18 the office of the Auditor of Public Accounts. The cost and expense  
19 of making such audit shall be paid by the metropolitan utilities  
20 district in which such audit and examination have been made. The  
21 auditor shall make out and certify a bill for the expense of making  
22 such an audit. Upon presentation of the bill to the secretary of  
23 the board of the metropolitan utilities district, it shall be the  
24 duty of the board to allow and pay the claim. The amount thereof  
25 shall be paid to the State Treasurer.

1                   Sec. 5. Original sections 14-2110 and 14-2147, Reissue  
2 Revised Statutes of Nebraska, and sections 14-2109 and 14-2146,  
3 Revised Statutes Cumulative Supplement, 2006, are repealed.