

LEGISLATURE OF NEBRASKA
ONE HUNDRED THIRD LEGISLATURE
FIRST SESSION
LEGISLATIVE BILL 208

Introduced by Harr, 8.

Read first time January 15, 2013

Committee: Urban Affairs

A BILL

1 FOR AN ACT relating to metropolitan utilities districts; to amend
2 sections 14-2109, 14-2110, and 14-2126, Reissue Revised
3 Statutes of Nebraska; to change provisions relating to
4 the board of directors, employees, and hydrants; and to
5 repeal the original sections.
6 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 14-2109, Reissue Revised Statutes of
2 Nebraska, is amended to read:

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

1 exceed ~~ten-seventy-five~~ thousand dollars per annum unless approved by
2 a vote of two-thirds or more of the members of the board of
3 directors. The record of such vote of approval, together with the
4 names of the directors so voting, shall be made a part of the
5 permanent records of the board.

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

8 14-2110 (1) No regular appointee or employee of the
9 metropolitan utilities district, except the individual appointed in
10 section 14-2109, who has been in its service consecutively for more
11 than one year ~~and whose name has been placed, by a unanimous vote of~~
12 ~~the full board of directors, upon the permanent employees list~~
13 ~~provided for in the rules adopted by the board shall be subject to~~
14 ~~removal except upon a two-thirds vote of the full board and then only~~
15 ~~for cause which shall be stated in writing and filed with the~~
16 ~~secretary of the board at least ten days prior to a hearing preceding~~
17 ~~such removal.~~ as set forth in subsection (2) of this section.

18 (2) The individual appointed in section 14-2109 may
19 remove a permanent employee for cause, notice of which shall be
20 stated in writing and delivered to the employee. The notice shall
21 include findings of fact to support the removal for cause. Within ten
22 days after receipt of the notice, the employee may appeal the removal
23 to a committee of three directors chosen by the board of directors,
24 which committee shall hear the appeal de novo and may grant the
25 appeal upon a two-thirds vote of the committee. The board may

1 establish such procedures governing the appeal as it deems
2 appropriate.

3 Sec. 3. Section 14-2126, Reissue Revised Statutes of
4 Nebraska, is amended to read:

5 14-2126 The metropolitan utilities districts shall
6 maintain free of charge the number of hydrants heretofore established
7 for fire protection in the streets of the municipalities constituting
8 such districts and, in addition thereto, maintain regular fire
9 hydrants ~~approximately four hundred feet apart~~ on service mains in
10 the streets of the municipalities not now equipped therewith and also
11 upon service mains that may hereafter be installed in such
12 municipalities. The board of directors may adopt such rules for the
13 placement and maintenance of such hydrants as long as such rules do
14 not violate any rules and regulations adopted and promulgated by the
15 Department of Health and Human Services. Intermediate hydrants or
16 fire hydrants placed between regular hydrants shall be installed by
17 the district at such points as may be designated and ordered by any
18 one of the municipalities. One-half of the cost of such intermediate
19 hydrants, connections, and installation shall be borne by the
20 municipality ordering the same. The district shall also lower water
21 mains and reset hydrants at their original locations whenever
22 necessary.

23 Sec. 4. Original sections 14-2109, 14-2110, and 14-2126,
24 Reissue Revised Statutes of Nebraska, are repealed.