

AMENDMENTS TO LB 53

Introduced by Haar, 21.

1 1. Insert the following new section:

2 Sec. 5. Section 70-612, Reissue Revised Statutes of
3 Nebraska, is amended to read:

4 70-612 (1) Subject to the provisions of Chapter 70,
5 article 6, and subject to the approval of the Nebraska Power Review
6 Board, the board of directors of a district may amend the petition
7 for its creation to provide for the division of the territory of
8 such district into two or more subdivisions for the nomination and
9 election of some or all of the directors. Each subdivision shall
10 be composed of one or more voting precincts, or divided voting
11 precincts, and the total population of each such subdivision shall
12 be approximately the same. Two or more subdivisions may be combined
13 for election purposes, and members of the board of directors to
14 be elected from such combined subdivisions may be nominated and
15 elected at large when not less than seventy-five percent of the
16 population of the combined subdivisions is within the corporate
17 limits of any city.

18 (2)(a) In the event a district formed includes all
19 or part of two or more counties and is ~~(a)~~ (i) engaged in
20 furnishing electric light and power and more than fifty percent
21 of its customers are rural customers or ~~(b)~~ (ii) engaged in
22 furnishing electric light and power and in the business of owning
23 and operating irrigation works, then and in that event such

1 subdivisions may be formed by following precinct or county boundary
2 lines without regard to population if in the judgment of the
3 Nebraska Power Review Board the interests of the rural users
4 of electricity or of users of irrigation water service in such
5 district will not be prejudiced thereby.

6 (b) When tallying the votes cast for candidates for board
7 of directors of such district, the following shall apply:

8 (i) The votes of persons residing within a public power
9 district, electric cooperative, or municipality which purchases
10 less than twenty percent of its electricity from such district
11 shall not be eligible to vote in such elections; and

12 (ii) The votes of persons residing within a public power
13 district, electric cooperative, or municipality which purchases
14 twenty percent or more of its electricity from such district
15 shall be weighted based on the percentage of its electricity that
16 such public power district, electric cooperative, or municipality
17 purchases from the district.

18 ~~(2)~~ (3) Any public power district or public power and
19 irrigation district owning and operating irrigation works may, with
20 approval of the Nebraska Power Review Board, add representation
21 on its board of directors from any county which is outside its
22 chartered territory but in which is located some or all of such
23 irrigation works.

24 2. Renumber the remaining sections and amend the repealer
25 accordingly.