

ONE HUNDRED SECOND LEGISLATURE - FIRST SESSION - 2011
COMMITTEE STATEMENT
LB190

Hearing Date: Tuesday February 15, 2011
Committee On: Urban Affairs
Introducer: Council
One Liner: Provide for district elections for board members of metropolitan utilities districts and public power districts serving cities of the metropolitan class

Roll Call Vote - Final Committee Action:
Advanced to General File with amendment(s)

Vote Results:

Aye: 7 Senators Ashford, Coash, Cook, Krist, McGill, Schumacher, Smith
Nay:
Absent:
Present Not Voting:

Proponents:
Brenda Council

Representing:
Self

Opponents:
Daniel G. Crouchley

Representing:
Metropolitan Utilities District

Neutral:
John Lindsay

Representing:
O.P.P.D.

Summary of purpose and/or changes:

This bill is to provide for representative governance of Metropolitan Utilities Districts and Public Power Districts which serve cities of the metropolitan class by allowing for district-level elections of board members of these public utilities. Section 1 of LB 190 amends Neb.Rev.Stat. 14-2102 by adding language to allow a registered voter of the Metropolitan Utilities District to be eligible for the office of director from the election district in which he or she resides, subject to the special qualification of residence for the outside member.

Section 2 amends 32-540 and creates a new election policy that would take effect after January 1, 2012. For each election held after this date, the election commissioner in the most populous county in each metropolitan utilities district service area shall divide the service area into six (6) election districts of compact and contiguous territory and of approximately equal population, numbered one through six. Each district shall have one member on the metropolitan utilities district board of directors, and one member known as the outside member shall be elected at large by the voters of the MUD.

This section also provides for the members elected from districts 1, 3, 5 and the outside member to be elected for initial terms of 4 years, and members from districts 2, 4, and 6 elected for initial terms of 6 years. Thereafter all members shall be elected for terms of 6 years.

Section 3 amends 70-612 to remove a district with a service area containing a city of the metropolitan class from the list of those districts who have permission for the board of directors to amend the petition for their creation to provide for the division of the territory of such district into two or more subdivisions for the nomination and election of some of all of the

directors.

This section creates a new subsection in the statute to require the board of directors of a district with a service area containing a city of the metropolitan class, on or before January 1, 2012, and subject to the approval of the Nebraska Power Review Board, to amend the petition for its creation to provide for the division of the territory of the district into no fewer than seven (7) election subdivisions for the nomination and election of the directors of the district. Each subdivision shall be composed of one or more voting precincts, and the total population of each election subdivision shall be approximately equal.

Explanation of amendments:

The amendment to LB 190 strikes sections 3 and 4 of the bill, removing the language that makes changes to the district languages of approved Nebraska Public Power Districts serving cities of the metropolitan class.

The amendment also changes section two, subsection (2) of the bill to provide for seven election districts in each metropolitan utilities district instead of six, and removes the language referencing an outside member of the board who shall be elected at large by the members of the metropolitan utilities district.

Amanda McGill, Chairperson