

## LEGISLATIVE BILL 208

Approved by the Governor May 7, 2013

Introduced by Harr, 8.

FOR AN ACT relating to metropolitan utilities districts; to amend sections 14-2109, 14-2110, and 14-2126, Reissue Revised Statutes of Nebraska; to change provisions relating to the board of directors, employees, and hydrants; and to repeal the original sections.

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

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

14-2109 The board of directors of a metropolitan utilities district shall at its first regular meeting appoint an individual with an official title designated by the board who shall (1) act as secretary of such board, (2) have general supervision of the management, construction, operation, and maintenance of the utility plants and property under the jurisdiction of or owned by such metropolitan utilities district, subject to the direction of the board, (3) hold office at the pleasure of the board, (4) possess business training, executive experience, and knowledge of the development and operation of public utilities, (5) ~~give bond for the faithful performance of his or her duties in the sum of not less than ten thousand dollars to be filed with and approved by the board of directors,~~ (6) receive such compensation as the board may determine, ~~which compensation shall not be decreased during the incumbency of any appointee,~~ and (7) ~~and~~ (6) devote his or her exclusive time to the duties of the office. The board of directors may employ or authorize the employment of such other employees and assistants as may be deemed necessary for the operation and maintenance of the utility plants under its jurisdiction and of the conduct of the affairs of the board and provide for their compensation. The compensation of the appointed individual and such employees shall be paid from funds under control of the board. In no event shall the compensation, as a salary or otherwise, of any employee or officer exceed ten thousand dollars per annum unless approved by a vote of two-thirds or more of the members of the board of directors. The record of such vote of approval, together with the names of the directors so voting, shall be made a part of the permanent records of the board.

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

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

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

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

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