

LEGISLATURE OF NEBRASKA  
ONE HUNDRED FOURTH LEGISLATURE  
FIRST SESSION

**LEGISLATIVE BILL 177**

FINAL READING  
(SECOND)

Introduced by Haar, 21.

Read first time January 12, 2015

Committee: Government, Military and Veterans Affairs

- 1 A BILL FOR AN ACT relating to public power districts; to amend section
- 2 70-619, Revised Statutes Cumulative Supplement, 2014; to change
- 3 provisions relating to membership on boards of directors; to define
- 4 a term; and to repeal the original section.
- 5 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 70-619, Revised Statutes Cumulative Supplement,  
2 2014, is amended to read:

3 70-619 (1) The corporate powers of the district shall be vested in  
4 and exercised by the board of directors of the district. No person shall  
5 be qualified to hold office as a member of the board of directors unless  
6 (a) he or she is a registered voter (i) of such chartered territory, (ii)  
7 of the subdivision from which a director is to be elected if such  
8 chartered territory is subdivided for election purposes as provided in  
9 subsection (1), (2), or (3) of section 70-612, or (iii) of one of the  
10 combined subdivisions from which directors are to be elected at large as  
11 provided in section 70-612 or (b) he or she is a retail customer duly  
12 certified in accordance with subsection (3) of section 70-604.03.

13 (2)(a) No person who is a full-time or part-time employee of the  
14 district shall be eligible to serve as a member of the board of directors  
15 of that district and no high-level manager employed by a district may  
16 serve as a member of the board of directors of any district unless such  
17 person (i) resigns or (ii) assumes an unpaid leave of absence for the  
18 term as a member. The employing district shall grant such leave of  
19 absence when requested by any employee for the purpose of the employee  
20 serving as a member of such the board. A of directors. No person shall be  
21 qualified to be a member of more than one such district board, except  
22 that a director of a rural public power district may serve as a director  
23 of another public power district formed or organized for the purpose of  
24 generating electric energy or transmitting electric energy exclusively  
25 for resale to some other public power districts, rural electric  
26 cooperatives, and membership associations or municipalities. No member of  
27 a governing body of any one of the municipalities within the areas of the  
28 district may not shall be qualified to serve on the original board of  
29 directors under sections 70-603 to 70-609.

30 (b) For purposes of this subsection, high-level manager means a  
31 person employed by a district who serves in a high-level managerial

1 position, including chief executive officer, president, vice president,  
2 chief financial officer, chief operations officer, general manager, or  
3 assistant general manager.

4       Sec. 2.   Original section 70-619, Revised Statutes Cumulative  
5 Supplement, 2014, is repealed.