

LEGISLATIVE BILL 177

Approved by the Governor March 12, 2015

Introduced by Haar, 21.

A BILL FOR AN ACT relating to public power districts; to amend section 70-619, Revised Statutes Cumulative Supplement, 2014; to change provisions relating to membership on boards of directors; to define a term; and to repeal the original section.

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

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

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

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

(b) For purposes of this subsection, high-level manager means a person employed by a district who serves in a high-level managerial position, including chief executive officer, president, vice president, chief financial officer, chief operations officer, general manager, or assistant general manager.

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