

## LEGISLATIVE BILL 686

Approved by the Governor February 17, 1984

Introduced by DeCamp, 40

AN ACT relating to cities and villages; to amend sections 18-2402, 18-2435, and 18-2438, Revised Statutes Supplement, 1982; to provide intent; to change expense provisions; to provide for certain committees; and to repeal the original sections. Be it enacted by the people of the State of Nebraska,

Section 1. That section 18-2402, Revised Statutes Supplement, 1982, be amended to read as follows:

18-2402. It is declared that cooperative action by cities and villages of this state in the fields of the supplying, treatment, and distribution of water, the generation, transmission, and distribution of electric power and energy, and the collection, treatment, and disposal of sewerage and solid waste is in the public interest; that there is a need in order to insure the stability and continued viability of such systems to provide for a means by which municipalities may cooperate with one another in the financing, acquisition, and operation of such facilities and interests therein and rights thereto in all ways possible; that the creation of agencies through which the municipalities of this state may act cooperatively is in the best interest of this state and the inhabitants thereof and is for a public use and public purpose; and that the necessity in the public interest for the provisions included in sections 18-2401 to 18-2485 is declared as a matter of legislative determination. It is further declared that the intent of sections 18-2401 to 18-2485 is to replace competition between participating municipalities in connection with the projects described in sections 18-2401 to 18-2485 by allowing such municipalities to combine and cooperate in connection with the acquisition, construction, operation, financing, and all other functions authorized by sections 18-2401 to 18-2485 with respect to such projects.

Sec. 2. That section 18-2435, Revised Statutes Supplement, 1982, be amended to read as follows:

18-2435. A director may be removed for any cause at any time by the governing body of the municipality for which such director acts. A certificate of the appointment or reappointment of any director shall be filed with the clerk of the municipality for which such director acts and such certificate shall be conclusive evidence of the due and proper appointment of such director. Each director shall serve for a term of three years, or until his or her

successor has been appointed and has qualified in the same manner as the original appointment. A director ~~is~~ shall be eligible for reappointment upon the expiration of his or her term. A vacancy shall be filled for the balance of the unexpired term of the person who has ceased to hold office in the same manner as the original appointment. A director shall receive no compensation for his or her services but shall be entitled to the necessary expenses, including travel expenses, incurred in the discharge of his or her official duties, including mileage at the rate provided in section 84-306.03 for state employees. ~~as provided in sections 84-306.01 to 84-306.05 for state employees.~~

Sec. 3. That section 18-2438, Revised Statutes Supplement, 1982, be amended to read as follows:

18-2438. The board of an agency may create an executive committee the composition of which shall be set forth in the bylaws of the agency. The executive committee shall have and exercise the power and authority of the board during intervals between the board's meetings in accordance with the board's bylaws, rules, motions, or resolutions. The terms of office of the members of the executive committee and the method of filling vacancies shall be fixed by the bylaws of the agency. The board may also create one or more project committees to which the board may delegate such powers and duties with respect to a project as the board shall specify. In , but in no event shall any a project committee be empowered to authorize the issuance of bonds. The membership and voting requirements for action by a project committee shall be specified by the board, taking into account the municipalities serviced by such project.

Sec. 4. That original sections 18-2402, 18-2435, and 18-2438, Revised Statutes Supplement, 1982, are repealed.