

## LEGISLATIVE BILL 49

Approved by the Governor January 31, 1984

Introduced by Goodrich, 20

AN ACT to amend sections 70-620, 70-620.01, and 70-624.02, Reissue Revised Statutes of Nebraska, 1943, and section 70-624, Revised Statutes Supplement, 1982, relating to public power districts; to change provisions for officers and employees; and to repeal the original sections.

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

Section 1. That section 70-620, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

70-620. The In districts receiving annual gross revenue of less than forty million dollars, the board of directors shall appoint the officers of the district, who shall be a president, a vice president, a secretary, and a treasurer, and the board shall appoint such executive committee and other officers, including a general manager, agents, servants, and employees as shall be deemed necessary in handling the affairs and transacting the business of the district. The president, vice president, and treasurer shall be appointed from the membership of the board of directors. The treasurer shall furnish and maintain a corporate surety bond in an amount sufficient to cover all money coming into his or her possession or control, which bond shall be satisfactory in form and with sureties approved by the board. The bond required under this section shall in no event exceed one hundred thousand dollars. The bond as thus approved shall be filed with the Secretary of State.

In those districts receiving annual gross revenue of forty million dollars or more, the board of directors shall appoint the officers of the district, who shall be a president or chairperson of the board, a vice president or vice-chairperson of the board, a secretary, and a treasurer, and the board shall appoint such executive committee and other officers, including a president or general manager, agents, servants, and employees as shall be deemed necessary in handling the affairs and transacting the business of the district. The president or chairperson of the board, vice president or vice-chairperson of the board, and treasurer shall be appointed from the membership of the board of directors. The treasurer shall furnish and maintain a corporate surety bond in an amount sufficient to cover all money coming into his or her possession or control, which bond shall be satisfactory in form and with sureties approved by

the board. The bond required under this section shall in no event exceed one hundred thousand dollars. The bond as thus approved shall be filed with the Secretary of State.

Sec. 2. That section 70-620.01, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

70-620.01. In districts receiving annual gross revenue of less than forty million dollars, a A general manager may be employed on such terms as the board deems advisable. He or she shall be chief executive officer of the district and, subject to the control of the board of directors, shall manage, conduct, and administer the affairs of the district in an efficient and economical manner.

In those districts receiving annual gross revenue of forty million dollars or more, a chief executive officer, who shall be designated as general manager if the board appoints a president of the board or as president if the board appoints a chairperson of the board, may be employed on such terms as the board deems advisable and, subject to the control of the board of directors, shall manage, conduct, and administer the affairs of the district in an efficient and economical manner.

Sec. 3. That section 70-624, Revised Statutes Supplement, 1982, be amended to read as follows:

70-624. In no event shall the compensation, as a salary or otherwise, of any general manager or president, assistant general manager or vice president, or other officer be approved except by the vote of approval 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. The current salaries of any general manager or president or assistant general manager or vice president and all officers of the district shall be published once each year in three legal newspapers of general circulation in the district in which such general manager or president, assistant general manager or vice president, or officers are employed.

Sec. 4. That section 70-624.02, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

70-624.02. The members of the board of directors shall be paid their actual expenses, while engaged in the business of the district under the authority of the board of directors, and, for their services, such compensation as shall be fixed by the board of directors. The boards of directors of those districts with gross revenue of less than eleven million dollars may fix compensation at not to exceed two thousand four hundred dollars per year as to all members except the president, and not to exceed three thousand dollars per year as to the president.

The boards of directors of those districts with gross revenue exceeding eleven million dollars but less than forty million dollars may fix compensation at not to exceed three thousand six hundred dollars per year as to all members except the president, and not exceeding four thousand two hundred dollars a year as to the president.

The boards of directors of those districts with gross revenue of forty million dollars or more may fix compensation at not to exceed six thousand dollars per year as to all members except the president or chairperson of the board, and not exceeding seven thousand two hundred dollars per year as to the president or chairperson of the board. All salaries and compensation shall be obligations against, and be paid solely from, the revenue of the district. No director shall receive any other compensation from the district, except as provided in this section, during the term for which he or she was elected or appointed or in the year following the expiration of his or her term, and resignation from such board of directors shall not be construed as the termination of the term of office for which he or she was elected or appointed. A member of the board of directors of a public power district organized under the laws of this state shall not be limited to service on the board of directors in the district in which he or she has been elected so as to preclude service in similar positions of trust on a state, regional, or national level which are the result of his or her membership as a director on such board. For time expended in his or her duties in such position of trust, the director shall not be limited to any existing provisions of law of this state relating to payment of per diem for services as a member of such board of directors, but shall be entitled to receive such additional compensation as may be provided for such service, regardless of the fact that such compensation may be paid from funds to which his or her district has made contributions in the form of dues or otherwise.

Sec. 5. That original sections 70-620, 70-620.01 and 70-624.02, Reissue Revised Statutes of Nebraska, 1943, and section 70-624, Revised Statutes Supplement, 1982, are repealed.