

that may be doing so illegally, if their legal residence is located outside the chartered area of the power district. More than likely anyone that this applies to would be unaware that they were serving illegally, but irregardless, their continued service could jeopardize board action, both past and future. So this amendment merely requires that the Secretary of State clarify that public power district directors live in the chartered area from which they were elected and this will protect both the district and the directors.

SENATOR LANDIS: Thank you, Senator Smith. I understand there is an amendment, however, to your amendment by Senator Vickers. Mr. Clerk, is that correct?

CLERK: Mr. President, Senator Vickers would move to amend Senator Smith's amendment. (Vickers amendment appears on pages 1892-93 of the Legislative Journal.)

SENATOR LANDIS: Senator Vickers, on your amendment to the Smith amendment.

SENATOR VICKERS: Mr. President, the amendment that I offer to the Smith amendment is basically a technical amendment to clarify that the provisions that Senator Smith is attempting to amend with her amendment, also includes a provision in the statutes that we adopted a few years ago with the passage of some legislation that allowed a public power district director who was served by that district, even though he may not, he or she may not live in that chartered territory, to serve as a director of the district. And that is in current language in the law in Section 70-604.03 and 70-610 and the problem is because in many cases the chartered area follow county or precinct lines and service areas do not necessarily do that and there is some instances where an individual could be living just outside of the chartered area, but yet being served by that district and we made the decision in this Legislature a few years ago that those people had ought to be able to serve as directors on that district. So this would be...include in the Smith amendment on lines 13 and again on line 17 after the words, "public power district", it would include "or is eligible to serve according to the provisions of Section 70-604.03 and Section 70-610". I would move the adoption of this amendment to the Smith amendment.

SENATOR LANDIS: Senator Schmit, followed by Senator Smith on the Vickers amendment to the Smith amendment.