

LEGISLATURE OF NEBRASKA  
ONE HUNDRED SEVENTH LEGISLATURE  
FIRST SESSION

**LEGISLATIVE BILL 257**

Introduced by Hansen, M., 26.

Read first time January 11, 2021

Committee: Government, Military and Veterans Affairs

- 1 A BILL FOR AN ACT relating to public power and irrigation districts; to
- 2 amend section 70-615, Reissue Revised Statutes of Nebraska; to
- 3 change how vacancies on the board of directors are filled; and to
- 4 repeal the original section.
- 5 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 70-615, Reissue Revised Statutes of Nebraska, is  
2 amended to read:

3 70-615 (1) In addition to the events listed in section 32-560, a  
4 vacancy on the board of directors shall exist in the event of the (a)  
5 removal from the chartered area of any director, (b) removal from the  
6 subdivision from which such director was elected except as otherwise  
7 provided in subsection (2) or (3) of section 70-612, (c) elimination or  
8 detachment from the chartered area of the territory in which a director  
9 or directors reside, or (d) expiration of the term of office of a  
10 director and failure to elect a director to fill such office at the  
11 preceding general election. After notice and hearing, a vacancy shall  
12 also exist in the event of the absence of any director from more than two  
13 consecutive regular meetings of the board, unless such absences are  
14 excused by a majority of the remaining board members.

15 (2) In the event of a vacancy from any of such causes, or otherwise,  
16 such vacancy or vacancies shall, ~~except in districts having within their~~  
17 ~~chartered area twenty five or more cities and villages,~~ be filled by the  
18 board of directors. ~~In districts having within their chartered area~~  
19 ~~twenty five or more cities and villages, vacancies shall be filled by the~~  
20 ~~Governor.~~

21 (3) If a vacancy occurs during the term of any director prior to the  
22 deadline for filing and the unexpired term extends beyond the first  
23 Thursday after the first Tuesday in January following the next general  
24 election, an appointment shall be until the first Thursday after the  
25 first Tuesday in January following the next general election, and  
26 candidates may file nomination papers as provided by law for the placing  
27 of their names upon the ballot for election to the unexpired term. If a  
28 vacancy occurs during the term of any director after the deadline for  
29 filing for election, an appointment shall be until the first Thursday  
30 after the first Tuesday in January following the next general election  
31 for which candidates may file nomination papers as provided by law.

1           (4) At any time a vacancy is to be filled by election, the secretary  
2 of the district shall give notice to the public by publishing the notice  
3 of vacancy, length of term, and the deadline for filing, once in a  
4 newspaper or newspapers of general circulation within the district.

5           (5) Any appointment shall be filed with the Secretary of State by  
6 certified mail.

7           Sec. 2.    Original section 70-615, Reissue Revised Statutes of  
8 Nebraska, is repealed.