

LEGISLATURE OF NEBRASKA
ONE HUNDREDTH LEGISLATURE
FIRST SESSION
LEGISLATIVE BILL 207

Introduced By: Friend, 10
Read first time: January 9, 2007
Committee: Urban Affairs

A BILL

1 FOR AN ACT relating to public utilities; to amend sections
2 14-2110 and 14-2147, Reissue Revised Statutes of Nebraska,
3 and sections 14-2109 and 14-2146, Revised Statutes
4 Cumulative Supplement, 2006; to provide a power for the
5 board of directors of a metropolitan utilities district; to
6 harmonize provisions; and to repeal the original sections.
7 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 14-2109, Revised Statutes Cumulative
2 Supplement, 2006, is amended to read:

3 14-2109. The board of directors of a metropolitan utilities
4 district shall at its first regular meeting appoint ~~a~~ an individual
5 with the title of general manager or other official title designated
6 by the board who shall (1) act as secretary of such board, (2) have
7 general supervision of the management, construction, operation, and
8 maintenance of the utility plants and property under the jurisdiction
9 of or owned by such metropolitan utilities district, subject to the
10 direction of the board, (3) hold office at the pleasure of the board,
11 (4) possess business training, executive experience, and knowledge of
12 the development and operation of public utilities, (5) give bond for
13 the faithful performance of his or her duties in the sum of not less
14 than ten thousand dollars to be filed with and approved by the board
15 of directors, (6) receive such compensation as the board may
16 determine, which compensation shall not be decreased during the
17 incumbency of any appointee, and (7) devote his or her exclusive time
18 to the duties of the office. The board of directors may employ or
19 authorize the employment of such other employees and assistants as may
20 be deemed necessary for the operation and maintenance of the utility
21 plants under its jurisdiction and of the conduct of the affairs of the
22 board and provide for their compensation. The compensation of the
23 ~~general manager~~ appointed individual and such employees shall be
24 paid from funds under control of the board. In no event shall the
25 compensation, as a salary or otherwise, of any employee or officer
26 exceed ten thousand dollars per annum unless approved by a vote of
27 two-thirds or more of the members of the board of directors. The

1 record of such vote of approval, together with the names of the
2 directors so voting, shall be made a part of the permanent records of
3 the board.

4 Sec. 2. Section 14-2110, Reissue Revised Statutes of
5 Nebraska, is amended to read:

6 14-2110. No regular appointee or employee of the
7 metropolitan utilities district, except the ~~general manager,~~
8 individual appointed in section 14-2109, who has been in its
9 service consecutively for more than one year and whose name has been
10 placed, by a unanimous vote of the full board of directors, upon the
11 permanent employees list provided for in the rules adopted by the
12 board shall be subject to removal except upon a two-thirds vote of the
13 full board and then only for cause which shall be stated in writing
14 and filed with the secretary of the board at least ten days prior to a
15 hearing preceding such removal.

16 Sec. 3. Section 14-2146, Revised Statutes Cumulative
17 Supplement, 2006, is amended to read:

18 14-2146. The Auditor of Public Accounts and the person
19 making the examination and audit pursuant to section 14-2145 shall
20 have access to all books, records, vouchers, papers, contracts, or
21 other data containing information on the subject in the office of the
22 board of such metropolitan utilities district, in the office of the
23 ~~general manager of the district,~~ individual appointed in section
24 14-2109, or in the possession or under the control of any of the
25 agents or employees of the district. It is hereby made the duty of
26 all officers, agents, and employees of the district to furnish to the
27 auditor and his or her agents and employees such information regarding

1 the auditing of the metropolitan utilities district as may be
2 demanded.

3 Sec. 4. Section 14-2147, Reissue Revised Statutes of
4 Nebraska, is amended to read:

5 14-2147. Upon the completion of such examination and audit,
6 the person making the same shall file and furnish to the village or
7 city clerk of each village or city within the district one copy of his
8 or her report. Another copy shall be furnished to the county board of
9 the counties in which the metropolitan utilities district is located.
10 A copy shall also be placed on file with the ~~manager of the~~
11 ~~metropolitan utilities district.~~ individual appointed in section
12 14-2109. The original copy shall be filed in the office of the
13 Auditor of Public Accounts. The cost and expense of making such audit
14 shall be paid by the metropolitan utilities district in which such
15 audit and examination have been made. The auditor shall make out and
16 certify a bill for the expense of making such an audit. Upon
17 presentation of the bill to the secretary of the board of the
18 metropolitan utilities district, it shall be the duty of the board to
19 allow and pay the claim. The amount thereof shall be paid to the State
20 Treasurer.

21 Sec. 5. Original sections 14-2110 and 14-2147, Reissue
22 Revised Statutes of Nebraska, and sections 14-2109 and 14-2146,
23 Revised Statutes Cumulative Supplement, 2006, are repealed.