



**One Hundred First Legislature - First Session - 2009**  
**Introducer's Statement of Intent**  
**LB 53**

---

**Chairperson:** Chris Langemeier  
**Committee:** Natural Resources  
**Date of Hearing:** January 22, 2009

The following constitutes the reasons for this bill and the purposes which are sought to be accomplished thereby:

The chartered territory of a public power district is established under Chapter 70, article 6. The chartered territory constitutes the area from which directors are elected and generally includes the areas where the district provides retail and wholesale electric service.

From the original establishment of public power districts in 1933 until 1986, there was one set of statutes governing chartered territory. The 1986 statutory changes established two separate sets of requirements. One set of requirements governs public power districts operating in 50 counties or less, and the other one governs public power districts operating in more than 50 counties of which there is only one. Based upon industry developments since 1986, the “more than 50 counties” requirements are no longer fair or reasonable.

LB 53 would eliminate the “more than 50 counties” requirements, thus returning the statutes to one set of requirements for all public power districts. It adds a provision to require municipalities and other wholesale customers to purchase 50% or more of their firm wholesale annual energy from a public power district to be included in the chartered territory of the supplying district. A similar provision was removed from the statutes in 1986.

LB 53 will provide equality and fairness for the governance of all public power districts and will remove current statutory ambiguities.

**Principal Introducer:** \_\_\_\_\_  
**Senator Deb Fischer**