

LEGISLATURE OF NEBRASKA  
ONE HUNDRED SIXTH LEGISLATURE  
SECOND SESSION

**LEGISLATIVE BILL 899**

FINAL READING

Introduced by Hughes, 44; Albrecht, 17; Brandt, 32; Gragert, 40; Quick,  
35; Kolterman, 24.

Read first time January 09, 2020

Committee: Natural Resources

- 1 A BILL FOR AN ACT relating to public power districts; to amend section
- 2 70-625, Reissue Revised Statutes of Nebraska; to provide certain
- 3 powers relating to certain fuels and fuel byproducts; to harmonize
- 4 provisions; and to repeal the original section.
- 5 Be it enacted by the people of the State of Nebraska,

1           Section 1. Section 70-625, Reissue Revised Statutes of Nebraska, is  
2 amended to read:

3           70-625 (1) Subject to the limitations of the petition for its  
4 creation and all amendments to such petition, a public power district has  
5 all the usual powers of a corporation for public purposes and may  
6 purchase, hold, sell, and lease personal property and real property  
7 reasonably necessary for the conduct of its business. No district may  
8 sell household appliances at retail if the retail price of any such  
9 appliance exceeds fifty dollars, except that newly developed electrical  
10 appliances may be merchandised and sold during the period of time in  
11 which any such appliances are being introduced to the public. New models  
12 of existing appliances shall not be deemed to be newly developed  
13 appliances. An electrical appliance shall be considered to be in such  
14 introductory period of time until the particular type of appliance is  
15 used by twenty-five percent of all the electrical customers served by  
16 such district, but such period shall in no event exceed five years from  
17 the date of introduction by the manufacturer of the new appliance to the  
18 local market.

19           (2) In addition to its powers authorized by Chapter 70 and specified  
20 in its petition for creation, as amended, a public power district may  
21 sell, lease, and service satellite television signal descrambling or  
22 decoding devices, satellite television programming, and equipment and  
23 services associated with such devices and programming, except that this  
24 section does not authorize public power districts (a) to provide signal  
25 descrambling or decoding devices or satellite programming to any location  
26 (i) being furnished such devices or programming on April 24, 1987, or  
27 (ii) where community antenna television service is available from any  
28 person, firm, or corporation holding a franchise pursuant to sections  
29 18-2201 to 18-2206 or a permit pursuant to sections 23-383 to 23-388 on  
30 April 24, 1987, or (b) to sell, service, or lease C-band satellite dish  
31 systems or repair parts.

1           (3) In addition to the powers authorized by Chapter 70 and specified  
2 in its petition for creation as amended, the board of directors of a  
3 public power district may apply for and use funds available from the  
4 United States Department of Agriculture or other federal agencies for  
5 grants or loans to promote economic development and job creation projects  
6 in rural areas as permitted under the rules and regulations of the  
7 federal agency from which the funds are received. Any loan to be made by  
8 a district shall only be made in participation with a bank pursuant to a  
9 contract. The district and the participating bank shall determine the  
10 terms and conditions of the contract. In addition, in rural areas of the  
11 district, the board of directors of such district may provide technical  
12 or management assistance to prospective, new, or expanding businesses,  
13 including home-based businesses, provide assistance to a local or  
14 regional industrial or economic development corporation or foundation  
15 located within or contiguous to the district's service area, and provide  
16 youth and adult community leadership training.

17           (4) In addition to the powers authorized by Chapter 70 and specified  
18 in its petition for creation as amended, a public power district may sell  
19 or lease its dark fiber pursuant to sections 86-574 to 86-578.

20           (5) In addition to the powers authorized by Chapter 70 and specified  
21 in its petition for creation as amended, a public power district may  
22 develop, manufacture, use, purchase, or sell at wholesale advanced  
23 biofuels and biofuel byproducts and other fuels and fuel byproducts so  
24 long as the development, manufacture, use, purchase, or sale of such  
25 biofuels and biofuel byproducts and other fuels and fuel byproducts is  
26 done to help offset greenhouse gas emissions.

27           (6) ~~(5)~~ Notwithstanding any law, ordinance, resolution, or  
28 regulation of any political subdivision to the contrary, each public  
29 power district may receive funds and extend loans pursuant to the  
30 Nebraska Investment Finance Authority Act or pursuant to this section. In  
31 addition to the powers authorized by Chapter 70 and specified in its

1 petition for creation, as amended, and without the need for further  
2 amendment thereto, a public power district may own and operate, contract  
3 to operate, or lease energy equipment and provide billing, meter reading,  
4 surveys, or evaluations and other administrative services, but not to  
5 include natural gas services, of public utility systems within a  
6 district's service territory.

7       Sec. 2.   Original section 70-625, Reissue Revised Statutes of  
8 Nebraska, is repealed.