

LEGISLATURE OF NEBRASKA
ONE HUNDRED SIXTH LEGISLATURE
SECOND SESSION

LEGISLATIVE BILL 899

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

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 biofuels and biofuel 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 biofuels and biofuel
23 byproducts and other fuels which help reduce greenhouse gas emissions.

24 (6) ~~(5)~~ Notwithstanding any law, ordinance, resolution, or
25 regulation of any political subdivision to the contrary, each public
26 power district may receive funds and extend loans pursuant to the
27 Nebraska Investment Finance Authority Act or pursuant to this section. In
28 addition to the powers authorized by Chapter 70 and specified in its
29 petition for creation, as amended, and without the need for further
30 amendment thereto, a public power district may own and operate, contract
31 to operate, or lease energy equipment and provide billing, meter reading,

1 surveys, or evaluations and other administrative services, but not to
2 include natural gas services, of public utility systems within a
3 district's service territory.

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5 Nebraska, is repealed.