

LEGISLATURE OF NEBRASKA  
ONE HUNDRED SEVENTH LEGISLATURE  
FIRST SESSION

**LEGISLATIVE BILL 293**

Introduced by Flood, 19.

Read first time January 12, 2021

Committee: Transportation and Telecommunications

- 1 A BILL FOR AN ACT relating to the Public Service Commission; to amend
- 2 sections 32-509, 75-101, and 75-101.01, Reissue Revised Statutes of
- 3 Nebraska; to change the number of districts and qualifications; to
- 4 repeal the original sections; and to declare an emergency.
- 5 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 32-509, Reissue Revised Statutes of Nebraska, is  
2 amended to read:

3 32-509 (1) Until the effective date of legislation drawing seven  
4 districts as reflected in maps adopted by reference in section 75-101.01,  
5 the The State of Nebraska is divided into five public service  
6 commissioner districts as provided and described in sections 75-101.01  
7 and 75-101.02. A candidate for the office of public service commissioner  
8 shall meet the qualifications found in section 75-101. The commissioners  
9 shall be elected on the partisan ballot.

10 (2) Each public service commissioner shall be elected for a term of  
11 six years. One public service commissioner from public service  
12 commissioner district number one and one public service commissioner from  
13 public service commissioner district number three shall be elected at the  
14 statewide general election in 1994 and each six years thereafter. One  
15 public service commissioner from public service commissioner district  
16 number four and one public service commissioner from public service  
17 commissioner district number five shall be elected at the statewide  
18 general election in 1992 and each six years thereafter. One public  
19 service commissioner from public service commissioner district number two  
20 shall be elected at the statewide general election in 1996 and each six  
21 years thereafter.

22 Sec. 2. Section 75-101, Reissue Revised Statutes of Nebraska, is  
23 amended to read:

24 75-101 (1) The members of the Public Service Commission shall be  
25 resident citizens of this state, registered voters, and, if members of or  
26 practitioners in any profession, in good standing according to the  
27 established standards of such profession. The members of the Public  
28 Service Commission shall be elected as provided in section 32-509. A  
29 candidate for the office of public service commissioner shall be a  
30 resident of the district from which he or she seeks election. Each public  
31 service commissioner shall be a resident of the district from which he or

1 she is elected. Removal from the district shall cause a vacancy in the  
2 office of public service commissioner for the unexpired term.

3 (2) No person shall be eligible to the office of public service  
4 commissioner who is directly or indirectly interested in any common  
5 carrier or jurisdictional utility in the state or out of it or who is in  
6 any way or manner pecuniarily interested in any common carrier subject to  
7 Chapter 75 or 86. If any commissioner becomes so interested after  
8 election or appointment, his or her office shall become vacant, except  
9 that if any commissioner becomes so interested otherwise than  
10 voluntarily, he or she shall, within a reasonable time, divest himself or  
11 herself of such interest, and failing to do so, his or her office shall  
12 become vacant.

13 (3) A commissioner shall not hold any other office under the  
14 government of the United States, of this state, or of any other state and  
15 shall not, while such commissioner, engage in another ~~any other~~  
16 occupation regulated by the Public Service Commission.

17 For purposes of Chapter 75:

18 (a) Commission, when referring to a state agency, means the Public  
19 Service Commission; and

20 (b) Commissioner means a member of the commission.

21 Sec. 3. Section 75-101.01, Reissue Revised Statutes of Nebraska, is  
22 amended to read:

23 75-101.01 (1) Based on the 2010 Census of Population by the United  
24 States Department of Commerce, Bureau of the Census, the State of  
25 Nebraska is hereby divided into five public service commissioner  
26 districts, until the effective date of legislation drawing seven public  
27 service commissioner districts, and each public service commissioner  
28 district shall be entitled to one member.

29 (2) The numbers and boundaries of the districts are designated and  
30 established by maps identified and labeled as maps PSC11-1, PSC11-2,  
31 PSC11-3, PSC11-4, and PSC11-5, filed with the Clerk of the Legislature,

1 and incorporated by reference as part of Laws 2011, LB700.

2 (3)(a) The Clerk of the Legislature shall transfer possession of the  
3 maps referred to in subsection (2) of this section to the Secretary of  
4 State on May 27, 2011.

5 (b) When questions of interpretation of district boundaries arise,  
6 the maps referred to in subsection (2) of this section in possession of  
7 the Secretary of State shall serve as the indication of the legislative  
8 intent in drawing the district boundaries.

9 (c) Each election commissioner or county clerk shall obtain copies  
10 of the maps referred to in subsection (2) of this section for the  
11 election commissioner's or clerk's county from the Secretary of State.

12 (d) The Secretary of State shall also have available for viewing on  
13 his or her web site the maps referred to in subsection (2) of this  
14 section identifying the boundaries for the districts.

15 Sec. 4. Original sections 32-509, 75-101, and 75-101.01, Reissue  
16 Revised Statutes of Nebraska, are repealed.

17 Sec. 5. Since an emergency exists, this act takes effect when  
18 passed and approved according to law.