

LEGISLATIVE BILL 833

Approved by the Governor March 13, 1974

Introduced by Storer, 36

AN ACT to amend sections 70-719, 70-720, 70-721, and 70-722, Reissue Revised Statutes of Nebraska, 1943, relating to electric cooperative corporations; to provide for the election of alternate directors and to provide in what capacity they shall serve; and to repeal the original sections.

Be it enacted by the people of the State of Nebraska,

Section 1. That section 70-719, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

70-719. The directors, other than those named in the certificate of incorporation to serve until the first annual meeting of members, shall be elected annually, or as otherwise provided in the by-laws, by the members. The directors shall be members of the corporation and shall be entitled to such compensation and reimbursement for expenses actually and necessarily incurred by them as may be provided in the by-laws. The by-laws may provide for the election of alternate directors, who shall be elected and serve in the same manner as members elected to the board of directors. Such alternate directors shall serve in the event of the absence, disability, disqualification, or death of an elected director.

Sec. 2. That section 70-720, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

70-720. Any vacancy occurring in the board or in the position of alternate director, and any directorship to be filled, shall be filled as provided in the by-laws by persons who shall serve until directors or alternate directors may be regularly elected as provided for in section 70-719.

Sec. 3. That section 70-721, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

70-721. A majority of the board shall constitute a quorum for the transaction of business, unless a greater number is required by the articles of incorporation or the by-laws. The act of the majority of

the directors present at a meeting at which a quorum is present shall be the act of the board, unless the act of a greater number is required by the articles of incorporation or the by-laws. For the purpose of determining a quorum, alternate directors shall be considered in the event of the absence, disability, disqualification, or death of any director.

Sec. 4. That section 70-722, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

70-722. Meetings of the board, regular or special, shall be held at such place and upon such notice as the by-laws may prescribe. Attendance of a director or alternate director at any meeting shall constitute a waiver of notice of such meeting, except where a director or alternate director attends a meeting for the express purpose of objecting to the transaction of any business because the meeting is not lawfully called or convened. Neither the business to be transacted at, nor the purpose of, any regular or special meeting of the board of directors need be specified in the notice or waiver of notice of such meeting.

Sec. 5. That original sections 70-719, 70-720, 70-721, and 70-722, Reissue Revised Statutes of Nebraska, 1943, are repealed.