

## LEGISLATIVE BILL 915

Approved by the Governor April 18, 1994

Introduced by Schellpeper, 18; Landis, 46

AN ACT relating to public power districts; to amend sections 70-624 and 70-625, Reissue Revised Statutes of Nebraska, 1943; to provide duties for the chief executive officer relating to the publication of salaries; to provide a penalty; to change provisions relating to satellite television sales, leases, and services; to provide operative dates; to repeal the original sections; and to declare an emergency.

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

Section 1. That section 70-624, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

70-624. (1) In no event shall the compensation, as a salary or otherwise, of any general manager or president, assistant general manager or vice president, or other officer be approved except by the vote of approval of two-thirds or more of the members of the board of directors. The record of such vote of approval, together with the names of the directors so voting, shall be made a part of the permanent records of the board.

(2) The current salaries of any general manager or president or assistant general manager or vice president and all officers of the district shall be published once each year in three legal newspapers of general circulation in the district in which such general manager or president, assistant general manager or vice president, or officers are employed. The chief executive officer as described in section 70-620.01 shall be responsible for publishing the current salaries as required by this subsection. Any chief executive officer who violates this subsection shall be guilty of a Class V misdemeanor.

Sec. 2. That section 70-625, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

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

In addition to its powers authorized by Chapter 70 and specified in its petition for creation as amended, a public power district may sell, lease, and service satellite television signal descrambling or decoding devices, and satellite television programming, and equipment and services associated with such devices and programming. except that nothing in this section shall authorize public power districts (1) to operate as contract or common carriers engaged in furnishing communication services for hire in Nebraska intrastate commerce, or (2) to provide signal descrambling or decoding devices or satellite programming to any location (a) being furnished such devices or programming on April 24, 1987, or (b) where community antenna television service is available from any person, firm, or corporation holding a franchise pursuant to sections 18-2201 to 18-2206 or a permit pursuant to sections 23-383 to 23-388 on April 24, 1987, or (3) to sell, service, or lease C-band satellite dish systems or repair parts.

Notwithstanding any law, ordinance, resolution, or regulation of any political subdivision to the contrary, each public power district may receive funds and extend loans pursuant to the Nebraska Investment Finance Authority Act.

Sec. 3. Sections 1 and 4 of this act shall become operative on January 1, 1995. The other sections of this act shall become operative on their effective date.

Sec. 4. That original section 70-624, Reissue Revised Statutes of Nebraska, 1943, is repealed.

Sec. 5. That original section 70-625, Reissue Revised Statutes of Nebraska, 1943, is repealed.

Sec. 6. Since an emergency exists, this act shall be in full force and take effect, from and after its passage and approval, according to law.