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January 27, 2022

Senator Bruce Bostelman, Chair, and Members of the Natural Resources Committee  
State Capitol, Lincoln, NE

RE: LB1046 (Bostelman) - Change provisions relating to selection of the board of directors and chief executive officer of certain public power districts

## **OPPOSE**

Dear Senator Bostelman and Committee Members:

The League of Women Voters of Nebraska strongly opposes LB1046. The bill requires Nebraska public power districts whose chartered territories represent more than half the counties of Nebraska or contain metropolitan class cities to divide their electoral districts into four elected subdivisions. It then allows the governor to appoint five at-large members to the boards. This will primarily affect Nebraska's two major public power districts – OPPD and NPPD. This bill would effectively give the governor veto power over directors elected by Nebraskans.

The League also notes a discrepancy in the statement of intent for bill, which reads: "Amends the make-up of the board of directors for certain public power districts to have half of the board appointed by the Governor and half elected." According to the bill, the governor would appoint five directors while four would be elected.

NPPD and OPPD have served their customers well for more than 75 years, keeping energy reliable and affordable. Their directors are elected, which ensures accountability and transparency. Why would Nebraskans want to cede their power to elect their representatives to the public power boards to the governor?

We urge the committee to consider several other issues regarding transparency and accountability:

- No provision in the bill outlines a public application process for the appointed positions.
- The bill does not include a public comments provision on potential candidates considered by the governor.
- Would the appointed directors be accountable to customers or the governor?

LB1046 also allows the governor to appoint a chief executive for the specified public power districts. Although this CEO would be employed by the district, they would serve at the pleasure of the governor. Why should the ability to employ a CEO be stripped from the board of directors of a public power district? Again, to whom would a CEO be accountable?

Nebraska takes pride in the people being the second house. We urge the committee to continue to trust the voters of Nebraska to elect their public power boards and urge you to vote no on LB1046 and not advance the bill to General File.

Thank you for your time and attention.

MaryLee Moulton  
Co-President, League of Women Voters of Nebraska