

ONE HUNDRED EIGHTH LEGISLATURE - FIRST SESSION - 2023
COMMITTEE STATEMENT
LB171

Hearing Date: Tuesday February 21, 2023
Committee On: Urban Affairs
Introducer: McKinney
One Liner: Name the Metropolitan Utilities District Act and transfer and change provisions relating to metropolitan utilities districts

Roll Call Vote - Final Committee Action:

Advanced to General File

Vote Results:

Aye:	6	Senators Blood, Cavanaugh, J., Day, Hardin, Hunt, McKinney
Nay:		
Absent:		
Present Not Voting:	1	Senator Lowe

Testimony:

Proponents:
Senator McKinney

Representing:
District #11

Opponents:

Representing:

Neutral:

Representing:

* ADA Accommodation Written Testimony

Summary of purpose and/or changes:

LB 171 is a Metropolitan Utilities District (MUD) clean-up bill. Sections 2 through 58 of the bill have been named the Metropolitan Utilities District Act.

The bill also makes a change to the MUD board of directors, providing that the board shall be chosen at the statewide primary and general elections within the voter's respective election subdivision.

Background & Legislative History:

During the 2015 interim, the Urban Affairs Committee began a multi-year effort to update and modernize statutes governing the various classes of municipalities. Over the past few years, the Urban Affairs Committee has introduced bills to update statutes governing cities of the first class (Chapter 16) in 2016 (LB 705), cities of the second class and villages (Chapter 17) in 2017 (LB 133), some, but not all, classes of municipalities (Chapter 19) in 2019 (LB 193), cities of the primary class (Chapter 15) in 2020 (LB 799), all classes of municipalities (Chapter 18) in 2021 (LB 163), and cities of the metropolitan class (Chapter 14) in 2022 (LB 800).

In 2022, the Urban Affairs Committee introduced LR 347, an interim study to examine statutes governing metropolitan utilities districts (MUD). The goal of this interim study was to update and modernize the MUD statutes, essentially a

“clean-up” bill similar to past clean-up bills dealing with the municipal statutes.

Section-by-Section Summary:

Section 2 of the bill creates the Metropolitan Utilities District Act.

Sections 3 through 58 of the bill amend 13-2802, 14-2101, 14-2102, 14-2103, 14-2104, 14-2105, 14-2106, 14-2107, 14-2108, 14-2109, 14-2110, 14-2111, 14-2112, 14-2113, 14-2114, 14-2115, 14-2116, 14-2117, 14-2118, 14-2119, 14-2120, 14-2121, 14-2122, 14-2123, 14-2124, 14-2125, 14-2126, 14-2127, 14-2128, 14-2129, 14-2130, 14-2131, 14-2132, 14-2133, 14-2134, 14-2135, 14-2136, 14-2137, 14-2138, 14-2139, 14-2141, 14-2142, 14-2143, 14-2144, 14-2145, 14-2146, 14-2147, 14-2148, 14-2149, 14-2150, 14-2151, 14-2152, 14-2153, 14-2154, 14-2155, 14-2156, and 14-2157. These sections eliminate obsolete provisions.

Section 59 of the bill amends 32-540 to require the division of the territory of the district into seven election subdivisions. The section also makes a change to the MUD board of directors, providing that the board shall be chosen at the statewide primary and general elections within the voter’s respective election subdivision.

(This changes the current statute, which provides that two members of the board are chosen during the statewide primary and general elections, while three members are elected at-large by the registered voters within the district.)

Sections 60 through 65 amend 32-567, 60-336.02, 66-1861, 71-6316, 84-304, and 84-304.02. These sections eliminate obsolete provisions.

Section 66 of the bill assigns sections 2 through 58 of the act to a new article in Chapter 66.

Section 67 of the bill repeals original sections.

Technical Comments:

LB 171 is the work product of the LR 347 interim study, and makes a wide variety of non-substantive changes in the MUD statutes. Types of changes in the draft include:

Changing and correcting terminology (i.e. “the district” to “metropolitan utilities district”, etc.);

Changing subject-verb agreement (i.e. singular to plural);

Clarifying references to legal newspapers;

Correcting references to MUD officials;

Correcting gender references (i.e. replacing “his” with “his or her”);

Correcting internal statutory references;

Eliminating run-on sentences;

Harmonizing references to other statutory sections within the MUD statutes;

Replacing or eliminating antiquated, obsolete, or unnecessary language; and

Transferring statutory sections to other chapters of state statute.

Terrell McKinney, Chairperson