

LEGISLATURE OF NEBRASKA
ONE HUNDRED THIRD LEGISLATURE
FIRST SESSION

LEGISLATIVE BILL 113

Introduced by McGill, 26; Ashford, 20; Karpisek, 32; Krist, 10.

Read first time January 10, 2013

Committee: Urban Affairs

A BILL

- 1 FOR AN ACT relating to cities of the second class; to amend sections
- 2 17-110 and 17-614, Reissue Revised Statutes of Nebraska;
- 3 to provide and change powers of the mayor; and to repeal
- 4 the original sections.
- 5 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 17-110, Reissue Revised Statutes of
2 Nebraska, is amended to read:

3 17-110 The mayor shall preside at all meetings of the
4 city council, ~~and of a city of the second class. The mayor may vote~~
5 ~~when his or her vote shall be decisive and the council is equally~~
6 ~~divided on any pending matter, legislation, or transaction, would~~
7 provide the additional vote required to attain the number of votes
8 equal to a majority of the number of members elected to the city
9 council on any pending matter, legislation, or transaction, and the
10 mayor shall, for the purpose of such vote, be deemed to be a member
11 of the council. He or she shall have superintendence and control of
12 all the officers and affairs of the city, and shall take care that
13 the ordinances of the city and all laws governing cities of the
14 second class are complied with.

15 Sec. 2. Section 17-614, Reissue Revised Statutes of
16 Nebraska, is amended to read:

17 17-614 (1) All ordinances and resolutions or orders for
18 the appropriation or payment of money shall require for their passage
19 or adoption the concurrence of a majority of all members elected to
20 the council or board of trustees. The mayor of a city of the second
21 class may vote when his or her vote would provide the additional vote
22 required to attain the number of votes equal to a majority of the
23 number of members elected to the council, and the mayor shall, for
24 the purpose of such vote, be deemed to be a member of the council.
25 Ordinances of a general or permanent nature shall be read by title on

1 three different days unless three-fourths of the council or board
2 vote to suspend this requirement, except that such requirement shall
3 not be suspended for any ordinance for the annexation of territory.
4 In case such requirement is suspended, the ordinances shall be read
5 by title and then moved for final passage. Three-fourths of the
6 council or board may require a reading of any such ordinance in full
7 before enactment under either procedure set out in this section.

8 (2) Ordinances shall contain no subject which is not
9 clearly expressed in the title, and, except as provided in section
10 19-915, no ordinance or section thereof shall be revised or amended
11 unless the new ordinance contains the entire ordinance or section as
12 revised or amended and the ordinance or section so amended is
13 repealed, except that:

14 (a) For an ordinance revising all the ordinances of the
15 city or village, the title need only state that the ordinance revises
16 all the ordinances of the city or village. Under such title all the
17 ordinances may be revised in sections and chapters or otherwise, may
18 be corrected, added to, and any part suppressed, and may be repealed
19 with or without a saving clause as to the whole or any part without
20 other title; and

21 (b) For an ordinance used solely to revise ordinances or
22 code sections or to enact new ordinances or code sections in order to
23 adopt statutory changes made by the Legislature which are specific
24 and mandatory and bring the ordinances or code sections into
25 conformance with state law, the title need only state that the

1 ordinance revises those ordinances or code sections affected by or
2 enacts ordinances or code sections generated by legislative changes.
3 Under such title, all such ordinances or code sections may be
4 revised, repealed, or enacted in sections and chapters or otherwise
5 by a single ordinance without other title.

6 Sec. 3. Original sections 17-110 and 17-614, Reissue
7 Revised Statutes of Nebraska, are repealed.