

AMENDMENTS TO LB1358

Introduced by Government, Military and Veterans Affairs.

1 1. Strike the original sections and insert the following new
2 sections:

3 Section 1. Section 14-137, Reissue Revised Statutes of Nebraska, is
4 amended to read:

5 14-137 The style of ordinances of a city of the metropolitan class
6 shall be as follows: Be it ordained by the city council of the city
7 of All ordinances of the city shall be passed pursuant to
8 such rules and regulations as the city council may prescribe. Upon the
9 passage of all ordinances the yeas and nays shall be recorded in the
10 minutes of the city council, and a majority of the votes of all the
11 members of the city council shall be necessary for passage. No ordinance
12 shall be passed within a week after its introduction, except the general
13 appropriation ordinances for salaries and wages other than salaries of
14 the mayor and city council members. Ordinances of a general or permanent
15 nature shall be read by title on three different days unless three-
16 fourths of the city council vote to suspend this requirement, except that
17 such requirement shall not be suspended (1) for any ordinance for the
18 annexation of territory or the redrawing of boundaries for city council
19 election districts or wards or (2) as otherwise provided by law.

20 Sec. 2. Section 14-211, Reissue Revised Statutes of Nebraska, is
21 amended to read:

22 14-211 (1)(a) No ordinance passed by the city council of a city of
23 the metropolitan class, except when otherwise required by the general
24 laws of the state, by other provisions of sections 14-201 to 14-229, or
25 as provided in subdivision (1)(b) of this section, shall go into effect
26 before fifteen days from the time of its final passage.

27 (b) An ordinance passed by the city council of a city of the

1 metropolitan class may take effect sooner than fifteen days from the time
2 of its final passage if the ordinance is:

3 (i) For the appropriation of money to pay the salary of officers or
4 employees of the city other than salaries of the mayor and city council
5 members; or

6 (ii) An emergency ordinance that is for the preservation of the
7 public peace, health, or safety and that contains a statement of such
8 emergency.

9 (2)(a) If during such fifteen days a petition, signed and verified
10 as provided in this section by electors of the city equal in number to at
11 least fifteen percent of the highest number of votes cast for any city
12 council member at the last preceding general city election, protesting
13 against the passage of such ordinance, shall be presented to the city
14 council, then such ordinance shall be suspended from going into
15 operation, and it shall be the duty of the city council to reconsider
16 such ordinance.

17 (b) If such ordinance is not repealed by the city council, then the
18 city council shall proceed to submit to the voters such ordinance at a
19 special election to be called for such purpose or at a general city
20 election, and such ordinance shall not go into effect or become operative
21 unless a majority of the qualified electors voting on such ordinance
22 shall vote in favor of the question.

23 (3) Such petition shall be in all respects in accordance with the
24 provisions of section 14-212 relating to signatures, verification,
25 inspection, and certification.

26 Sec. 3. Section 14-217.02, Reissue Revised Statutes of Nebraska, is
27 amended to read:

28 14-217.02 (1) Vacancies in the office of mayor or city council in a
29 city of the metropolitan class shall be filled as provided in section
30 32-568.

31 (2)(a) Salaries of the mayor and members of the city council shall

1 be determined by ordinance subject to the requirements in this section.
2 Except as provided in subdivision (b) of this subsection, no such salary
3 shall be increased by more than the average percentage change in the
4 unadjusted Consumer Price Index for All Urban Consumers published by the
5 Federal Bureau for Labor Statistics for the period since the last salary
6 increase plus one percent. No such salary shall be increased more than
7 once every two fiscal years. The ordinance may establish the salary for
8 the mayor or the city council members or both. The salary change for the
9 mayor shall not take effect until the end of the term of the mayor in
10 office at the time of the adoption of the ordinance. The salary change
11 for the city council members shall take effect as soon as permitted under
12 Article III, section 19, of the Constitution of Nebraska.

13 (b) The city council may place the issue on the ballot of whether to
14 increase the salary of the mayor or the city council members or both by
15 more than the amount permitted in subdivision (a) of this subsection for
16 approval by the registered voters of the city. The city council shall
17 determine the percentage of increase and hold a public hearing regarding
18 the increase. If the city council approves the percentage by a vote of at
19 least two-thirds of the members of the city council, the city clerk shall
20 transmit the issue to the election commissioner or county clerk for
21 placement on the ballot at the next statewide general election subject to
22 section 32-559. If the salary change for the mayor is approved by a
23 majority of the voters voting on the issue, the salary change shall take
24 effect at the end of the term of the mayor in office at the time of the
25 election. If the salary change for the city council members is approved
26 by a majority of the voters voting on the issue, the salary change shall
27 take effect as soon as permitted under Article III, section 19, of the
28 Constitution of Nebraska.

29 Sec. 4. Section 14-2104, Reissue Revised Statutes of Nebraska, is
30 amended to read:

31 14-2104 (1) Any vacancy occurring in the board of directors shall be

1 filled for the unexpired term by the remaining members thereof within
2 thirty days after the vacancy occurs. It is the intent and purpose to
3 render the board of directors nonpartisan in character.

4 (2)(a) (2) The board of directors shall set the salaries of the
5 chairperson and other members of the board of directors as provided in
6 this subsection. The chairperson of the board of directors of a
7 metropolitan utilities district shall be paid, as compensation for his or
8 her services, not to exceed the sum of one thousand two hundred sixty
9 dollars per month as of the effective date of this act. Each of the other
10 members of the board of directors shall be paid, as compensation for his
11 or her services, ~~not to exceed~~ the sum of one thousand one hundred twenty
12 dollars per month as of the effective date of this act.

13 (b) Subject to subdivision (c) of this subsection, Any adjustments
14 in compensation shall be made only at regular meetings of the board of
15 directors. Except as provided in subdivision (c) of this subsection, no
16 salary shall be increased by more than the average percentage change in
17 the unadjusted Consumer Price Index for All Urban Consumers published by
18 the Federal Bureau for Labor Statistics for the period since the last
19 salary increase plus one percent. The , and the salaries of the
20 chairperson and other members of such board shall not be increased more
21 often than once every two calendar years in any calendar year.

22 (c) The board of directors may place the issue on the ballot of
23 whether to increase the salary of the chairperson and other members of
24 such board by more than the percentage amount permitted in subdivision
25 (b) of this subsection at the next statewide general election for
26 approval by the registered voters of the metropolitan utilities district.
27 The board of directors shall determine the percentage of increase and
28 hold a public hearing regarding the increase. If the board of directors
29 approves the percentage by a vote of at least two-thirds of the members
30 of the board of directors, the board of directors shall transmit the
31 issue to the election commissioner or county clerk for placement on the

1 ballot at the next statewide general election subject to section 32-559.

2 (3) Members of the board of directors may be considered employees of
3 the district for purposes of participation in medical and dental plans of
4 insurance offered to regular employees. The dollar amount of any health
5 insurance premiums paid from the funds of the district for the benefit of
6 a member of the board of directors may be in addition to the amount of
7 compensation authorized to be paid to such director pursuant to this
8 section.

9 (4) The chairperson and other members of such board of directors
10 shall also be reimbursed for actual and necessary expenses incurred in
11 the performance of their official duties.

12 Sec. 5. Section 15-309, Reissue Revised Statutes of Nebraska, is
13 amended to read:

14 15-309 (1) Subject to subsection (2) of this section, the ~~The~~ city
15 council of a city of the primary class shall have the power by ordinance
16 to fix the salaries of the officers and employees of the city and provide
17 by ordinance for the forfeiting of the salary of any officer or employee.

18 (2)(a) Salaries of the mayor and members of the city council shall
19 be determined by ordinance subject to the requirements in this section.
20 Except as provided in subdivision (b) of this subsection, no such salary
21 shall be increased by more than the average percentage change in the
22 unadjusted Consumer Price Index for All Urban Consumers published by the
23 Federal Bureau for Labor Statistics for the period since the last salary
24 increase plus one percent. No such salary shall be increased more than
25 once every two fiscal years. The ordinance may establish the salary for
26 the mayor or the city council members or both. The salary change for the
27 mayor shall not take effect until the end of the term of the mayor in
28 office at the time of the adoption of the ordinance. The salary change
29 for the city council members shall take effect as soon as permitted under
30 Article III, section 19, of the Constitution of Nebraska.

31 (b) The city council may place the issue on the ballot of whether to

1 increase the salary of the mayor or the city council members or both by
2 more than the amount permitted in subdivision (a) of this subsection for
3 approval by the registered voters of the city. The city council shall
4 determine the percentage of increase and hold a public hearing regarding
5 the increase. If the city council approves the percentage by a vote of at
6 least two-thirds of the members of the city council, the city clerk shall
7 transmit the issue to the election commissioner or county clerk for
8 placement on the ballot at the next statewide general election subject to
9 section 32-559. If the salary change for the mayor is approved by a
10 majority of the voters voting on the issue, the salary change shall take
11 effect at the end of the term of the mayor in office at the time of the
12 election. If the salary change for the city council members is approved
13 by a majority of the voters voting on the issue, the salary change shall
14 take effect as soon as permitted under Article III, section 19, of the
15 Constitution of Nebraska.

16 Sec. 6. Section 19-412, Reissue Revised Statutes of Nebraska, is
17 amended to read:

18 19-412 (1)(a) ~~(1)~~ The officers and employees of a city under the
19 commission plan of government shall receive such compensation as the
20 mayor and city council shall fix by ordinance subject to the requirements
21 in this section. Except as provided in subdivision (b) of this
22 subsection, the salary of the mayor or city council member of a city of
23 the primary or metropolitan class shall not be increased by more than the
24 average percentage change in the unadjusted Consumer Price Index for All
25 Urban Consumers published by the Federal Bureau for Labor Statistics for
26 the period since the last salary increase plus one percent. No such
27 salary shall be increased more than once every two fiscal years.

28 (b) The city council of a city of the metropolitan or primary class
29 may place the issue on the ballot of whether to increase the salary of
30 the mayor or the city council members or both by more than the amount
31 permitted in subdivision (a) of this subsection for approval by the

1 registered voters of the city. The city council shall determine the
2 percentage of increase and hold a public hearing regarding the increase.
3 If the city council approves the percentage by a vote of at least two-
4 thirds of the members of the city council, the city clerk shall transmit
5 the issue to the election commissioner or county clerk for placement on
6 the ballot at the next statewide general election subject to section
7 32-559.

8 (2) The salary of any elective officer in a city under the
9 commission plan of government shall not be increased or diminished during
10 the term for which he or she was elected, except that when there are
11 officers elected to a city council, board, or commission having more than
12 one member and the terms of one or more members commence and end at
13 different times, the compensation of all members of such city council,
14 board, or commission may be increased or diminished at the beginning of
15 the full term of any member thereof. No person who has resigned or
16 vacated any office shall be eligible to be elected or appointed to such
17 office during the time for which he or she was elected when, during the
18 same time, the salary has been increased.

19 (3) The salary or compensation of all other officers or employees of
20 a city under the commission plan of government shall be determined when
21 they are appointed or elected by the city council, board, or commission
22 and shall be payable at such times or for such periods as the city
23 council, board, or commission shall determine.

24 Sec. 7. Section 19-616, Reissue Revised Statutes of Nebraska, is
25 amended to read:

26 19-616 (1) The annual compensation of the mayor and city council
27 members in cities under the city manager plan of government shall be
28 payable quarterly in equal installments and shall be fixed by the city
29 council subject to subsection (2) of this section. The salary of any
30 appointive or elective officer shall not be increased or diminished
31 during the term for which such officer was elected or appointed, except

1 that when there are officers elected or appointed to the city council or
2 a board or commission having more than one member and the terms of one or
3 more members commence and end at different times, the compensation of all
4 members of such city council, board, or commission may be increased or
5 diminished at the beginning of the full term of any member thereof. No
6 person who has resigned or vacated any office shall be eligible to be
7 elected or appointed to such office during the time for which he or she
8 was elected or appointed when, during the same time, the salary has been
9 increased. For each absence from regular meetings of the city council,
10 unless authorized by a two-thirds vote of all members of the city
11 council, there shall be deducted a sum equal to two percent of such
12 annual salary.

13 (2)(a) The salaries of the mayor and city council members of a city
14 of the primary class shall be established by ordinance subject to the
15 requirements in this section. Except as provided in subdivision (b) of
16 this subsection, no such salary shall be increased by more than the
17 average percentage change in the unadjusted Consumer Price Index for All
18 Urban Consumers published by the Federal Bureau for Labor Statistics for
19 the period since the last salary increase plus one percent. No such
20 salary shall be increased more than once every two fiscal years. The
21 ordinance may establish the salary for the mayor or the city council
22 members or both.

23 (b) The city council may place the issue on the ballot of whether to
24 increase the salary of the mayor or the city council members or both by
25 more than the amount permitted in subdivision (a) of this subsection for
26 approval by the registered voters of the city. The city council shall
27 determine the percentage of increase and hold a public hearing regarding
28 the increase. If the city council approves the percentage by a vote of at
29 least two-thirds of the members of the city council, the city clerk shall
30 transmit the issue to the election commissioner or county clerk for
31 placement on the ballot at the next statewide general election subject to

1 section 32-559.

2 Sec. 8. Section 23-1114, Reissue Revised Statutes of Nebraska, is
3 amended to read:

4 23-1114 (1) Except as otherwise provided in subsection (4) of this
5 section, the The salaries of all elected officers of the county shall be
6 fixed by the county board prior to January 15 of the year in which a
7 general election will be held for the respective offices.

8 (2) The salaries of all deputies in the offices of the elected
9 officers and appointive veterans service officers of the county shall be
10 fixed by the county board at such times as necessity may require.

11 (3) The county board may make payments that include, but are not
12 limited to, salaries described in this section or reimbursable expenses
13 by electronic funds transfer or a similar means of direct deposit.

14 (4)(a) The salaries of the members of the county board shall be
15 established by resolution by the members of the county board subject to
16 the requirements in this section. Except as provided in subdivision (b)
17 of this subsection, no such salary shall be increased by more than the
18 average percentage change in the unadjusted Consumer Price Index for All
19 Urban Consumers published by the Federal Bureau for Labor Statistics for
20 the period since the last salary increase plus one percent. No such
21 salary shall be increased more than once every two fiscal years.

22 (b) The county board may place the issue on the ballot of whether to
23 increase the salary of the members of the county board by more than the
24 amount permitted in subdivision (a) of this subsection for approval by
25 the registered voters of the county. The county board shall determine the
26 percentage of increase and hold a public hearing regarding the increase.
27 If the county board approves the percentage by a vote of at least two-
28 thirds of the members of the county board, the county board shall
29 transmit the issue to the election commissioner or county clerk for
30 placement on the ballot at the next statewide general election subject to
31 section 32-559.

1 Sec. 9. Section 23-1114.07, Reissue Revised Statutes of Nebraska, is
2 amended to read:

3 23-1114.07 Except for members ~~Members~~ of the county board, salaries
4 of county ~~shall set their own annual salary to be paid out of the general~~
5 ~~fund. Salaries of other~~ officers, including appointive full-time veterans
6 service officers, in counties of Class 6 or 7 shall be established by the
7 county board, except that the county assessor in counties of Class 7
8 shall receive a minimum annual salary of twenty thousand dollars, to be
9 paid periodically as other county employees out of the general fund.

10 Sec. 10. Section 70-624.02, Reissue Revised Statutes of Nebraska, is
11 amended to read:

12 70-624.02 The members of the board of directors shall be paid their
13 actual expenses, while engaged in the business of the district under the
14 authority of the board of directors, and, for their services, such
15 compensation as shall be fixed by the board of directors.

16 The boards of directors of those districts with gross revenue of
17 less than five hundred ~~forty~~ million dollars may fix compensation at not
18 to exceed thirteen thousand four hundred forty six ~~six thousand seven hundred~~
19 ~~twenty~~ dollars per year as to all members except the president and not
20 exceeding fifteen thousand one hundred twenty seven ~~seven thousand five hundred~~
21 ~~sixty~~ dollars a year as to the president.

22 The boards of directors of those districts with gross revenue of
23 five hundred ~~forty~~ million dollars or more may fix compensation at not to
24 exceed twenty-six thousand eight hundred eighty ~~thirteen thousand four~~
25 ~~hundred forty~~ dollars per year as to all members except the president or
26 chairperson of the board and not exceeding thirty thousand two hundred
27 forty ~~fifteen thousand one hundred twenty~~ dollars per year as to the
28 president or chairperson of the board. All salaries and compensation
29 shall be obligations against and be paid solely from the revenue of the
30 district.

31 No director shall receive any other compensation from the district,

1 except as provided in this section, during the term for which he or she
2 was elected or appointed or in the year following the expiration of his
3 or her term, and resignation from such board of directors shall not be
4 construed as the termination of the term of office for which he or she
5 was elected or appointed.

6 A member of the board of directors of a public power district
7 organized under the laws of this state shall not be limited to service on
8 the board of directors in the district in which he or she has been
9 elected so as to preclude service in similar positions of trust on a
10 state, regional, or national level which are the result of his or her
11 membership as a director on such board. For time expended in his or her
12 duties in such position of trust, the director shall not be limited to
13 any existing provisions of law of this state relating to payment of per
14 diem for services as a member of such board of directors, but shall be
15 entitled to receive such additional compensation as may be provided for
16 such service, regardless of the fact that such compensation may be paid
17 from funds to which his or her district has made contributions in the
18 form of dues or otherwise.

19 Sec. 11. Original sections 14-137, 14-211, 14-217.02, 14-2104,
20 15-309, 19-412, 19-616, 23-1114, 23-1114.07, and 70-624.02, Reissue
21 Revised Statutes of Nebraska, are repealed.