

AMENDMENTS TO LB 919

(Amendments to Standing Committee amendments, AM1848)

Introduced by Schilz, 47.

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

3 Section 1. Section 17-301, Reissue Revised Statutes of
4 Nebraska, is amended to read:

5 17-301 ~~(1)~~ Whenever any city of the first class decreases
6 in population until it has a population of less than five
7 thousand inhabitants but not less than four thousand five hundred
8 inhabitants, as ascertained and officially promulgated by the
9 federal decennial census, the mayor of any such city shall certify
10 such fact to the Secretary of State.

11 ~~(2)~~ Whenever any city of the first class decreases in
12 population until it has a population of less than four thousand
13 five hundred inhabitants but more than eight hundred inhabitants
14 as ascertained and officially promulgated by the federal decennial
15 census, the mayor of any such city shall certify such fact to the
16 Secretary of State.

17 ~~(3)~~ Whenever the Secretary of State receives a
18 certification pursuant to subsection ~~(1)~~ of this section from the
19 same city after two consecutive federal decennial censuses, he or
20 she shall declare such city to have become a city of the second
21 class as provided in section 17-305.

22 ~~(4)~~ Whenever the Secretary of State receives a

1 ~~certification pursuant to subsection (2) of this section, he or she~~
2 ~~shall declare such city to have become a city of the second class~~
3 ~~as provided in section 17-305.~~

4 (1) This section applies to cities of the first class
5 whose population is less than five thousand inhabitants but more
6 than eight hundred inhabitants according to the federal decennial
7 census conducted in the year 2010 or any subsequent federal
8 decennial census.

9 (2) (a) If a city of the first class has a population
10 of less than five thousand inhabitants but not less than four
11 thousand inhabitants, as ascertained and officially promulgated by
12 the most recent federal decennial census, the mayor of the city
13 shall certify such fact to the Secretary of State. If the mayor
14 and city council of the city determine that it is in the best
15 interests of such city to become a city of the second class, the
16 mayor and city council shall adopt an ordinance to that effect and
17 shall notify the Secretary of State and notice and a copy of such
18 ordinance shall accompany the certification. If the Secretary of
19 State receives such notification, he or she shall declare such city
20 to be a city of the second class. If the mayor and city council
21 determine that it is in the best interests of such city to remain
22 a city of the first class, they shall submit to the Secretary of
23 State, within nine years after the certification is required to
24 be submitted pursuant to this subdivision, an explanation of the
25 city's plan to increase the city's population.

26 (b) If a city of the first class has a population of
27 less than five thousand inhabitants but not less than four thousand

1 inhabitants, as ascertained and officially promulgated by the most
2 recent federal decennial census immediately following the census
3 referred to in subdivision (a) of this subsection, the mayor of
4 the city shall certify such fact to the Secretary of State. If the
5 mayor and city council of the city determine that it is in the best
6 interests of such city to become a city of the second class, the
7 mayor and city council shall adopt an ordinance to that effect and
8 shall notify the Secretary of State and notice and a copy of such
9 ordinance shall accompany the certification. If the Secretary of
10 State receives such notification, he or she shall declare such city
11 to be a city of the second class.

12 (c) If a city of the first class has a population of
13 less than five thousand inhabitants but not less than four thousand
14 inhabitants, as ascertained and officially promulgated by the most
15 recent federal decennial census immediately following the census
16 referred to in subdivision (b) of this subsection, the mayor of
17 the city shall certify such fact to the Secretary of State. After
18 receipt of such certification, the Secretary of State shall declare
19 such city to be a city of the second class.

20 (3) If a city of the first class has a population of
21 less than four thousand inhabitants but more than eight hundred
22 inhabitants, as ascertained and officially promulgated by the most
23 recent federal decennial census, the mayor of the city shall
24 certify such fact to the Secretary of State. After receipt of such
25 certification, the Secretary of State shall declare such city to be
26 a city of the second class.

27 ~~(5)~~ (4) Beginning on the date upon which a city becomes

1 a city of the second class pursuant to section 17-305, such city
2 shall be governed by the ~~provisions of the statutes of the State~~
3 ~~of Nebraska~~ laws of this state applicable to cities of the second
4 class.

5 Sec. 2. Original section 17-301, Reissue Revised Statutes
6 of Nebraska, is repealed.

7 Sec. 3. The following section is outright repealed:
8 Section 17-305.01, Reissue Revised Statutes of Nebraska.

9 Sec. 4. Since an emergency exists, this act takes effect
10 when passed and approved according to law.