

ONE HUNDRED THIRD LEGISLATURE - SECOND SESSION - 2014
COMMITTEE STATEMENT (CORRECTED)
LB702

Hearing Date: Tuesday January 28, 2014
Committee On: Urban Affairs
Introducer: Johnson
One Liner: Change provisions for organization of cities of the second class and villages

Roll Call Vote - Final Committee Action:
Advanced to General File with amendment(s)

Vote Results:
Aye: 6 Senators Ashford, Coash, Crawford, Karpisek, Krist, McGill
Nay:
Absent: 1 Senator Lautenbaugh
Present Not Voting:

Proponents:	Representing:
Senator Johnson	Self
Gary Krumaland	League of Nebraska Municipalities
John Surman	Village of Eagle
Maureen Freeman-Caddy	Village of Eagle

Opponents:	Representing:
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Neutral:	Representing:
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Summary of purpose and/or changes:

LB 702 is a bill that clarifies and standardizes the procedure for a village to change to a city of the second class other than by population change. Under current law, a village may vote to retain village status even after they cross the population threshold of 800 inhabitants which would change their status to a city of the second class. However, there is currently NO procedure for a village board or citizen initiative to vote to change to a city of the second class later on in the future, after a vote to retain village status has been taken. LB 702 establishes a procedure for the citizens to vote on changing the municipal classification from a village to a city of the second class. The bill also standardizes the procedure for voting to change municipal classifications in other situations.

Comments/Analysis:

Section one amends Neb.Rev.Stat. 17-101 with small language changes to reflect the ability of a village to adopt or retain a village form of government, and the changes made by this bill in other sections of law.

Section two amends Neb.Rev.Stat. 17-201 by adding new language that harmonizes the process of a village voting to retain a village status as provided by this bill, which is established in full detail in section five.

Section three amends Neb.Rev.Stat 17-306 by clarifying the language which allows the registered voters of a city of the second class to vote to discontinue its organization as a city of the second class and organize as a village. New language in this section allows the issue to be placed before the voters by a resolution adopted by the city council or by a petition signed by one-fourth of the voters of the city. The petition is required to conform to 32-628 of the Election Act, and must be designed by the Secretary of State. Petition signers and circulators are required to conform to the requirements set forth in the Election Act, 32-629 and 32-630. The required number of signatures is set at one-fourth of

the number of voters registered in the village at the last statewide general election. The city council must determine whether the petitions are in proper form and signed by the required number of registered voters if the measure is being put on the ballot by petition, or after the resolution is adopted by the city council, the question must be submitted to the voters of whether to discontinue organization as a city of the second class and to reorganize as a village, either by special election or at the same time as a local or statewide primary or general election.

There is additional language at the end of this section which clarifies that a city of the second class shall reorganize as a village within sixty (60) days after such election, if a majority of the

Explanation of amendments:

AM 1738 to LB 702 corrects a typing error on page 5, line 15, where it should say "village" instead of "city of the second class

Amanda McGill, Chairperson