

AMENDMENTS TO LB865

Introduced by Urban 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 enacting clause of all ordinances in a city of the
6 metropolitan class shall be as follows: Be it ordained by the city
7 council of the city of All ordinances of the city shall be
8 passed pursuant to such rules and regulations as the city council may
9 prescribe. Upon ; ~~Provided, upon~~ the passage of all ordinances the yeas
10 and nays shall be entered upon the record of the city council, and a
11 majority of the votes of all the members of the city council shall be
12 necessary to their passage. No ordinance shall be passed within a week
13 after its introduction, except the general appropriation ordinances for
14 salaries and wages. Ordinances of a general or permanent nature shall be
15 read by title on three different days unless three-fourths of the city
16 council vote to suspend this requirement, except that such requirement
17 shall not be suspended for any ordinance for the annexation of territory
18 or the redrawing of boundaries for city council election districts or
19 wards.

20 Sec. 2. Section 15-404, Reissue Revised Statutes of Nebraska, is
21 amended to read:

22 15-404 All ordinances, resolutions, or orders for the appropriation
23 or payment of money in a city of the primary class shall require for
24 passage or adoption the concurrence of a majority of the members elected
25 to the city council. Ordinances of a general or permanent nature shall be
26 ~~fully and distinctly read by title~~ on three different days, unless the
27 city council votes to suspend shall dispense with this requirement rule

1 by a two-thirds vote of the members, except that such requirement shall
2 not be suspended for any ordinance for the annexation of territory or the
3 redrawing of boundaries for city council election districts or wards
4 elected. No ordinance shall contain a subject which is not clearly
5 expressed in its title. No ordinance or section thereof shall be revised
6 or amended unless the new ordinance contains the entire ordinance or
7 section as revised or amended, and the ordinance or section so amended
8 shall be repealed.

9 Sec. 3. Section 16-404, Revised Statutes Cumulative Supplement,
10 2016, is amended to read:

11 16-404 (1) All ordinances and resolutions or orders for the
12 appropriation or payment of money in a city of the first class shall
13 require for their passage or adoption the concurrence of a majority of
14 all members elected to the city council. The mayor may vote on any such
15 matter when his or her vote will provide the additional vote required to
16 create a number of votes equal to a majority of the number of members
17 elected to the city council, and the mayor shall, for the purpose of such
18 vote, be deemed to be a member of the city council.

19 (2) Ordinances of a general or permanent nature in a city of the
20 first class shall be read by title on three different days unless three-
21 fourths of the city council members vote to suspend this requirement,
22 except that in a city having a commission form of government such
23 requirement may be suspended by a three-fifths majority vote. Regardless
24 of the form of government, such requirement shall not be suspended for
25 any ordinance for the annexation of territory or the redrawing of
26 boundaries for city council election districts or wards. In case such
27 requirement is suspended, the ordinances shall be read by title or number
28 and then moved for final passage. Three-fourths of the city council
29 members may require a reading of any such ordinance in full before
30 enactment under either procedure set out in this section, except that in
31 a city having a commission form of government, such reading may be

1 required by a three-fifths majority vote.

2 (3) Ordinances in a city of the first class shall contain no subject
3 which is not clearly expressed in the title, and, except as provided in
4 section 19-915, no ordinance or section thereof shall be revised or
5 amended unless the new ordinance contains the entire ordinance or section
6 as revised or amended and the ordinance or section so amended is
7 repealed, except that:

8 (a) For an ordinance revising all the ordinances of the city, the
9 only title necessary shall be An ordinance of the city of,
10 revising all the ordinances of the city. Under such title all the
11 ordinances may be revised in sections and chapters or otherwise, may be
12 corrected, added to, and any part suppressed, and may be repealed with or
13 without a saving clause as to the whole or any part without other title;
14 and

15 (b) For an ordinance used solely to revise ordinances or code
16 sections or to enact new ordinances or code sections in order to adopt
17 statutory changes made by the Legislature which are specific and
18 mandatory and bring the ordinances or code sections into conformance with
19 state law, the title need only state that the ordinance revises those
20 ordinances or code sections affected by or enacts ordinances or code
21 sections generated by legislative changes. Under such title, all such
22 ordinances or code sections may be revised, repealed, or enacted in
23 sections and chapters or otherwise by a single ordinance without other
24 title.

25 Sec. 4. Section 17-614, Revised Statutes Supplement, 2017, is
26 amended to read:

27 17-614 (1) All ordinances and resolutions or orders for the
28 appropriation or payment of money shall require for their passage or
29 adoption the concurrence of a majority of all members elected to the city
30 council in a city of the second class or village board of trustees. The
31 mayor of a city of the second class may vote when his or her vote would

1 provide the additional vote required to attain the number of votes equal
2 to a majority of the number of members elected to the city council, and
3 the mayor shall, for the purpose of such vote, be deemed to be a member
4 of the city council. Ordinances of a general or permanent nature shall be
5 read by title on three different days unless three-fourths of the city
6 council or village board of trustees vote to suspend this requirement,
7 except that such requirement shall not be suspended for any ordinance for
8 the annexation of territory or the redrawing of boundaries for city
9 council or village board of trustees election districts or wards. In case
10 such requirement is suspended, the ordinances shall be read by title and
11 then moved for final passage. Three-fourths of the city council or
12 village board of trustees may require a reading of any such ordinance in
13 full before enactment under either procedure set out in this section.

14 (2) Ordinances shall contain no subject which is not clearly
15 expressed in the title, and, except as provided in section 19-915, no
16 ordinance or section of such ordinance shall be revised or amended unless
17 the new ordinance contains the entire ordinance or section as revised or
18 amended and the ordinance or section so amended is repealed, except that:

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

26 (b) For an ordinance used solely to revise ordinances or code
27 sections or to enact new ordinances or code sections in order to adopt
28 statutory changes made by the Legislature which are specific and
29 mandatory and bring the ordinances or code sections into conformance with
30 state law, the title need only state that the ordinance revises those
31 ordinances or code sections affected by or enacts ordinances or code

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

5 Sec. 5. Original sections 14-137 and 15-404, Reissue Revised
6 Statutes of Nebraska, section 16-404, Revised Statutes Cumulative
7 Supplement, 2016, and section 17-614, Revised Statutes Supplement, 2017,
8 are repealed.