

LEGISLATURE OF NEBRASKA
ONE HUNDRED SEVENTH LEGISLATURE
FIRST SESSION

LEGISLATIVE BILL 332

Introduced by Wayne, 13.

Read first time January 13, 2021

Committee: Urban Affairs

1 A BILL FOR AN ACT relating to cities of the metropolitan class; to amend
2 sections 14-201, 14-201.03, 32-536, and 32-553, Reissue Revised
3 Statutes of Nebraska, and section 32-539, Revised Statutes
4 Cumulative Supplement, 2020; to change provisions relating to
5 elections, districts, terms, number of city council members, and
6 redistricting procedures; to harmonize provisions; and to repeal the
7 original sections.
8 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 14-201, Reissue Revised Statutes of Nebraska, is
2 amended to read:

3 14-201 In any city of the metropolitan class, city ~~seven~~ council
4 members shall be elected to the city council as provided in section
5 32-536. The general city election for the election of elective officers
6 of cities of the metropolitan class shall be held on the first Tuesday
7 after the second Monday in May 1993 and every four years thereafter. The
8 terms of office of such city council members shall commence on the fourth
9 Monday after such election.

10 Sec. 2. Section 14-201.03, Reissue Revised Statutes of Nebraska, is
11 amended to read:

12 14-201.03 (1) Except as provided in subsections (2) and (3) of this
13 section, the ~~The~~ election commissioner in any county in which is situated
14 a city of the metropolitan class shall divide the city into seven city
15 council districts of compact and contiguous territory. Such districts
16 shall be numbered consecutively from one to seven.

17 (2) Beginning with the general city election in 2025, the election
18 commissioner in any county in which is situated a city of the
19 metropolitan class shall divide the city into nine city council districts
20 of compact and contiguous territory. Such districts shall be numbered
21 consecutively from one to nine.

22 (3) One city council member shall be elected from each district,
23 except that the city council members elected or appointed to serve the
24 districts created under subsection (1) of this section shall continue to
25 serve such districts until the terms of office of the city council
26 members elected to serve the districts created under subsection (2) of
27 this section commence pursuant to section 14-201. The city council shall
28 be responsible for redrawing the city council district boundaries
29 pursuant to section 32-553.

30 Sec. 3. Section 32-536, Reissue Revised Statutes of Nebraska, is
31 amended to read:

1 32-536 (1) In a city of the metropolitan class, until the general
2 city election in 2025, seven city council members shall be elected to the
3 city council for terms of four years ~~at the general city election in 1993~~
4 pursuant to section 14-201.

5 (2) Beginning with the general city election in 2025, nine city
6 council members shall be elected to the city council for terms of four
7 years pursuant to section 14-201.

8 (3) One city council member shall be nominated and elected from each
9 of the districts into which the city is divided pursuant to section
10 14-201.03. The city council members shall meet the qualifications found
11 in sections 14-204 and 14-230.

12 Sec. 4. Section 32-539, Revised Statutes Cumulative Supplement,
13 2020, is amended to read:

14 32-539 (1) In a city which adopts the commission plan of government
15 pursuant to the Municipal Commission Plan of Government Act, the number
16 of city council members shall be determined by the class and population
17 of the city. In cities having two thousand or more but not more than
18 forty thousand inhabitants as determined by the most recent federal
19 decennial census or the most recent revised certified count by the United
20 States Bureau of the Census, there shall be five members, in cities of
21 the primary class, there shall be five members, and in cities of the
22 metropolitan class, there shall be nine ~~seven~~ members. Council members
23 shall be elected from the city at large. Nomination and election of all
24 council members shall be by nonpartisan ballot. The mayor shall be
25 elected for a four-year term.

26 (2) If a city elects to adopt the commission plan of government, the
27 council member elected as the commissioner of the department of public
28 works and the council member elected as the commissioner of the
29 department of public accounts and finances shall each serve a term of
30 four years and the council member elected as the commissioner of the
31 department of streets, public improvements, and public property and the

1 council member elected as the commissioner of the department of parks and
2 recreation shall each serve a term of two years. Upon the expiration of
3 such terms, all council members shall serve terms of four years and until
4 their successors are elected and qualified.

5 (3) Commencing with the statewide primary election in 2000, and
6 every two years thereafter, candidates shall be nominated at the
7 statewide primary election and elected at the statewide general election
8 except as otherwise provided in section 19-405.

9 Sec. 5. Section 32-553, Reissue Revised Statutes of Nebraska, is
10 amended to read:

11 32-553 (1) When any political subdivision except a public power
12 district nominates or elects members of the governing board by districts,
13 such districts shall be substantially equal in population as determined
14 by the most recent federal decennial census. Any such political
15 subdivision which has districts in place on the date the census figures
16 used in drawing district boundaries for the Legislature are required to
17 be submitted to the state by the United States Department of Commerce,
18 Bureau of the Census, shall, if necessary to maintain substantial
19 population equality as required by this subsection, have new district
20 boundaries drawn within six months after the passage and approval of the
21 legislative bill providing for reestablishing legislative districts. Any
22 such political subdivision in existence on the date the census figures
23 used in drawing district boundaries for the Legislature are required to
24 be submitted to the state by the United States Department of Commerce,
25 Bureau of the Census, and which has not established any district
26 boundaries shall establish district boundaries pursuant to this section
27 within six months after such date. If the deadline for drawing or
28 redrawing district boundary lines imposed by this section is not met, the
29 procedures set forth in section 32-555 shall be followed.

30 (2) Except as otherwise provided in section 14-201.03, the The
31 governing board of each such political subdivision shall be responsible

1 for drawing its own district boundaries and shall, as nearly as possible,
2 follow the precinct lines created by the election commissioner or county
3 clerk after each federal decennial census, except that the election
4 commissioner of any county in which a Class IV or V school district is
5 located shall draw district boundaries for such school district as
6 provided in this section and section 32-552.

7 Sec. 6. Original sections 14-201, 14-201.03, 32-536, and 32-553,
8 Reissue Revised Statutes of Nebraska, and section 32-539, Revised
9 Statutes Cumulative Supplement, 2020, are repealed.