

LEGISLATURE OF NEBRASKA
NINETY-SEVENTH LEGISLATURE
FIRST SESSION

LEGISLATIVE BILL 484

Introduced by Urban Affairs Committee: Hartnett, 45, Chairperson;
Connealy, 16; Erdman, 47; Janssen, 15; Preister, 5;
Quandahl, 31; Redfield, 12

Read first time January 10, 2001

Committee: Urban Affairs

A BILL

1 FOR AN ACT relating to municipalities; to amend sections 17-541,
2 17-614, 19-615, and 19-617, Reissue Revised Statutes of
3 Nebraska; to change provisions relating to meetings and
4 officers; to harmonize provisions; and to repeal the
5 original sections.
6 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 17-541, Reissue Revised Statutes of
2 Nebraska, is amended to read:

3 17-541. As soon as a system of waterworks, ~~or~~ mains, ~~or~~
4 ~~portion~~ or extension of any system of waterworks or water supply
5 ~~shall have~~ has been established by any city or village, the mayor
6 of such city or the ~~chairman~~ chairperson of the board of trustees
7 of such village shall nominate, ~~and by~~ and with the advice and
8 consent of the city council or board of trustees, as the case may
9 be, shall appoint any competent person who shall be known as the
10 water commissioner of such city or village, ~~and~~ whose term of
11 office shall be for one fiscal year or until his or her successor
12 ~~shall be~~ is appointed and qualified. Annually at the first regular
13 meeting of the city council or board of trustees in December, ~~+~~ and
14 annually on the first day of May the water commissioner shall be
15 appointed as ~~aforesaid~~ provided in this section. The water
16 commissioner may at any time, for sufficient cause, be removed by a
17 two-thirds vote of the city council or board of trustees. Any ~~+~~
18 and any vacancy occurring in ~~said~~ the office of water commissioner
19 by death, resignation, ~~or~~ removal from office, ~~as aforesaid~~, or
20 removal from the city or village, ~~may~~ be filled in the manner
21 ~~hereinbefore~~ provided in this section for the appointment of such
22 commissioner. The water commissioner shall, before he or she
23 enters upon the discharge of his or her duties, execute a bond to
24 such city or village in a sum to be fixed by the mayor and council
25 or ~~chairman~~ and the board of trustees, but not less than five
26 thousand dollars, conditioned upon the faithful discharge of his or
27 her duties, and signed by two or more good and sufficient sureties,
28 to be approved by the mayor and council or board of trustees or

1 executed by a corporate surety. ~~It shall be the duty of such~~ The
2 water commissioner, subject to the supervision of the mayor and
3 council or board of trustees, ~~to~~ shall have the general management
4 and control of the system of waterworks, or mains, or portion or
5 extension of any system of waterworks or water supply in the city
6 or village. In a city or village where no board of public works
7 exists, and such municipality has other public utilities than its
8 waterworks system, the mayor and council or ~~chairman~~ and the board
9 of trustees, as the case may be, shall by ordinance designate the
10 water commissioner as public works commissioner with authority to
11 manage not only the system of waterworks, but also other public
12 utilities, and all of the provisions of this section applying to
13 the water commissioner shall apply to the ~~said~~ public works
14 commissioner.

15 Sec. 2. Section 17-614, Reissue Revised Statutes of
16 Nebraska, is amended to read:

17 17-614. All ordinances and resolutions or orders for the
18 appropriation or payment of money shall require for their passage
19 or adoption the concurrence of a majority of all members elected to
20 the council or board of trustees. Ordinances of a general or
21 permanent nature shall be read by title on three different days
22 unless three-fourths of the council or board vote to suspend this
23 requirement, except that such requirement shall not be suspended
24 for any ordinance for the annexation of territory. In case such
25 requirement is suspended, the ordinances shall be read by title and
26 then moved for final passage. Three-fourths of the council or
27 board may require a reading of any such ordinance in full before
28 enactment under either procedure set out in this section.

1 Ordinances shall contain no subject which is not clearly
2 expressed in the title, and, except as provided in section 19-915,
3 no ordinance or section thereof shall be revised or amended unless
4 the new ordinance contains the entire ordinance or section as
5 revised or amended and the ordinance or section so amended is
6 repealed, except that for an ordinance revising all the ordinances
7 of the city or village, the title need only state that the
8 ordinance revises all the ordinances of the city or village. Under
9 such title all the ordinances may be revised in sections and
10 chapters or otherwise, may be corrected, added to, and any part
11 suppressed, and may be repealed with or without a saving clause as
12 to the whole or any part without other title.

13 Sec. 3. Section 19-615, Reissue Revised Statutes of
14 Nebraska, is amended to read:

15 19-615. ~~On the first Tuesday~~ At the first regular
16 meeting in December following the general election in every
17 even-numbered year, the council shall meet in the usual place for
18 holding meetings and the newly elected council members shall assume
19 the duties of their office. Thereafter the council shall meet at
20 such time and place as it may prescribe by ordinance, but not less
21 frequently than twice each month in cities of the first class. The
22 mayor, any two council members, or the city manager may call
23 special meetings of the council upon at least six hours' written
24 notice. The meetings of the council and sessions of committees of
25 the council shall be public. A majority of the members shall
26 constitute a quorum, but a majority vote of all the members elected
27 shall be required to pass any measure or elect to any office.

28 Sec. 4. Section 19-617, Reissue Revised Statutes of

1 Nebraska, is amended to read:

2 19-617. ~~On the first Tuesday~~ At the first regular
3 meeting in December following the general election in every
4 even-numbered year, the council shall elect one of its members as
5 president, who shall be ex officio mayor, and another as vice
6 president, who shall serve in the absence of the president. In the
7 absence of the president and the vice president, the council may
8 elect a temporary chairperson. The president shall preside over
9 the council, and have a voice and vote in its proceedings but no
10 veto. ~~He~~ The president shall be recognized as the official head of
11 the city for all ceremonial purposes, by the courts for the purpose
12 of serving civil process, and by the Governor for military
13 purposes. In addition, ~~he~~ the president shall exercise such other
14 powers and perform such duties, not inconsistent with ~~the~~
15 ~~provisions~~ ~~of~~ sections 19-601 to 19-648, as are conferred upon the
16 mayor of the city.

17 Sec. 5. Original sections 17-541, 17-614, 19-615, and
18 19-617, Reissue Revised Statutes of Nebraska, are repealed.