

LEGISLATIVE BILL 484

Approved by the Governor March 14, 2001

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

AN ACT relating to municipalities; to amend sections 17-541, 17-614, 19-615, and 19-617, Reissue Revised Statutes of Nebraska; to change provisions relating to meetings and officers; to harmonize provisions; and to repeal the original sections.

Be it enacted by the people of the State of Nebraska,

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

17-541. As soon as a system of waterworks, ~~or~~ mains, ~~or~~ portion or extension of any system of waterworks or water supply ~~shall have~~ has been established by any city or village, the mayor of such city or the ~~chairman~~ chairperson of the board of trustees of such village shall nominate, and by and with the advice and consent of the city council or board of trustees, as the case may be, shall appoint any competent person who shall be known as the water commissioner of such city or village, and whose term of office shall be for one fiscal year or until his or her successor ~~shall be~~ is appointed and qualified. Annually at the first regular meeting of the city council or board of trustees in December, ~~and annually on the first day of May~~ the water commissioner shall be appointed as afesaid provided in this section. The water commissioner may at any time, for sufficient cause, be removed by a two-thirds vote of the city council or board of trustees. Any ~~and any~~ vacancy occurring in ~~said the~~ office of water commissioner by death, resignation, ~~or~~ removal from office, as ~~afesaid~~, or removal from the city or village, may be filled in the manner ~~hereinbefore~~ provided in this section for the appointment of such commissioner. The water commissioner shall, before he or she enters upon the discharge of his or her duties, execute a bond to such city or village in a sum to be fixed by the mayor and council or ~~chairman~~ and the board of trustees, but not less than five thousand dollars, conditioned upon the faithful discharge of his or her duties, and signed by two or more good and sufficient sureties, to be approved by the mayor and council or board of trustees or executed by a corporate surety. ~~It shall be the duty of such~~ The water commissioner, subject to the supervision of the mayor and council or board of trustees, ~~to~~ shall have the general management and control of the system of waterworks, ~~or~~ mains, ~~or~~ portion or extension of any system of waterworks or water supply in the city or village. In a city or village where no board of public works exists, and such municipality has other public utilities than its waterworks system, the mayor and council or ~~chairman~~ and the board of trustees, as the case may be, shall by ordinance designate the water commissioner as public works commissioner with authority to manage not only the system of waterworks, but also other public utilities, and all of the provisions of this section applying to the water commissioner shall apply to the ~~said~~ public works commissioner.

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

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

Ordinances shall contain no subject which is not clearly expressed in the title, and, except as provided in section 19-915, no ordinance or section thereof shall be revised or amended unless the new ordinance contains the entire ordinance or section as revised or amended and the ordinance or section so amended is repealed, except that for an ordinance revising all the ordinances of the city or village, the title need only state that the ordinance revises all the ordinances of the city or village. Under such title all the ordinances may be revised in sections and chapters or otherwise, may

be corrected, added to, and any part suppressed, and may be repealed with or without a saving clause as to the whole or any part without other title.

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

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

Sec. 4. Section 19-617, Reissue Revised Statutes of Nebraska, is amended to read:

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

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