



Hundredth Legislature - First Session - 2007
Committee Statement
LB 405

Hearing Date: February 20, 2007
Committee On: Urban Affairs

Introducer(s): (Pedersen)

Title: Provide for additional city council members for cities of the metropolitan class

Roll Call Vote – Final Committee Action:

- Advanced to General File
 - X Advanced to General File with Amendments
 - Indefinitely Postponed
-

Vote Results:

6	Yes	Senator Friend, Cornett, Janssen, Lathrop, McGill, White
0	No	
0	Present, not voting	
1	Absent	Senator Rogert

Proponents:

Senator Dwight Pedersen
Jim Suttle

Representing:

Introducer
Self

Opponents:

None

Representing:

Neutral:

None

Representing:

Summary of purpose and/or changes: **Summary of purpose and/or changes:** This legislation proposes to increase the size of the city council of a city of the metropolitan class (Omaha) from seven to nine members (section 1).

Within ninety days of the effective date of the bill (three calendar months following the end of the legislative session) or six months after the end of the legislative session, the election commissioner would be required to divide the city into nine city council districts (section 2). Also, within the same period of time (six months following the end of the legislative session), the city council (by majority vote) would appoint an eighth and ninth member to serve as the council representatives to fill vacancies from unrepresented districts (section 3). These members would serve until their successors were elected (with all the other current members of the city council) at the next general city election in 2009.

Explanation of amendments, if any: As drafted, this bill makes a significant policy shift beyond the simple addition of two new council members for metropolitan class cities. In section 2 of the bill (amending Sec. 14-201.03), the new subdivision (2) echoes the language of new subdivision (1), the current statute. This has the election commissioner assuming responsibility for the redistricting of the city into nine districts while leaving any future redistricting to the city council.

It must be noted that the language of current section 14-201.03 which has the election commissioner dividing the city into seven districts is an historical artifact: when LB 71 (2001) was adopted, the election commissioner was taken out of the redistricting process, but the amendment did not take out this initial phrase in the statute since it had relation only to the initial redistricting mandated when LB 329 (the bill that created district elections in Omaha) was adopted in 1979. It was not necessary in 2001 to remove that language since the number of council members and districts was not being changed in LB 71.

By repeating that language in new subdivision (2) of amended section 14-201.03, the passage of this bill would return to the election commissioner in Douglas County the responsibility which was removed by LB 71 in 2001.

The committee amendments delete the old language of section 14-201.03 and amend the provisions of section 2 to add two new districts to a metropolitan class city council while preserving the redistricting function in the city council.

Finally, the emergency clause is added to speed up the change to a larger city council by permitting work to begin immediately on the redistricting and the appointment of two new councilmembers without the obligatory wait of more than three months (from the end of the legislative session) before work could legally begin on the activities.

Senator Mike Friend, Chairperson