

**ONE HUNDREDTH LEGISLATURE - SECOND SESSION -
2008**

COMMITTEE STATEMENT

LB971

Hearing Date: February 19, 2008

Committee On: Urban Affairs

Introducer(s): (Pedersen)

Title: Require voter approval for actions related to annexation of cities and villages

Roll Call Vote - Final Committee Action:

Indefinitely Postponed

Vote Results:

5 Yes	Senators Cornett, Friend, Lathrop, McGill, Rogert
0 No	
0 Absent	
2 Present, not voting	Senators Janssen, White

Proponents:

Senator Dwight Pedersen
Lori Ponec
Rex Moats
Don Eikmeier

Representing:

Introducer
Citizens for a Free Nebraska
Self
Self

Opponents:

Alan Thelen

Representing:

City of Omaha

Neutral:

None

Representing:

Summary of purpose and/or change: This legislation relates to annexation by cities and villages, proposing to require a vote of the people of any city or village which is the subject of a proposed annexation before such annexation can be undertaken.

In broad general terms, this bill would require a favorable vote of the residents of any city or village proposed for annexation by a larger city before such annexation could be consummated.

Section 1 proposes to amend section 14-117 (governing annexation by metropolitan class cities) to provide that when the city attempts to annex a first class city with a population of less than ten thousand inhabitants, or any second class city or village, the action must be approved by a majority of the registered voters of the city or village voting on the issue at a statewide general or primary election.

Section 2 proposes to amend section 15-104 (governing annexation by primary class cities) to provide that when the city undertakes the annexation of a village which is totally surrounded by the city, the annexation is only effective if the action is approved by a majority of the registered voters of the village voting on the issue at a statewide primary or general election.

Sections 3 and 4 propose only minor amendments to sections 15-111 and 15-112 (governing annexation by primary class cities when the city proposes to annex a second class city or village located adjacent to the city) since these sections already provide for the vote of residents of the annexed city or village to authorize the annexation.

Section 5 proposes to amend section 16-117, the primary annexation statute governing first class cities. It provides that a first class city cannot annex another first or second class city or village unless the annexation is approved by a majority of the registered voters of the other city or village voting on the issue at a statewide primary or general election.

Section 6 proposes to amend section 16-122 (also governing annexation by first class cities). It specifically deals with annexation of a second class city or village which is entirely surrounded by the first class city. Amongst the other qualifications necessary to permit such an annexation is added the requirement that a majority of the registered voters of the village or second class city must approve the annexation by vote at a statewide primary or general election.

Section 7 proposes to amend section 17-402 which governs the voluntary consolidation of a second class city or village with another second class city or village (although the term "annexation" is used). The changes do not so much amend existing law as clarify it regarding the need for a vote of the residents of the city or village requesting annexation.

Explanation of amendments, if any: None

Senator Mike Friend, Chairperson