

LEGISLATIVE BILL 113

Approved by the Governor February 15, 2013

Introduced by McGill, 26; Ashford, 20; Karpisek, 32; Krist, 10.

FOR AN ACT relating to cities of the second class; to amend sections 17-110 and 17-614, Reissue Revised Statutes of Nebraska; to provide and change powers of the mayor; and to repeal the original sections.

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

Section 1. Section 17-110, Reissue Revised Statutes of Nebraska, is amended to read:

17-110 The mayor shall preside at all meetings of the city council, ~~and of a city of the second class. The mayor may vote when his or her vote shall be decisive and the council is equally divided on any pending matter, legislation, or transaction, would provide the additional vote required to attain the number of votes equal to a majority of the number of members elected to the city council on any pending matter, legislation, or transaction,~~ and the mayor shall, for the purpose of such vote, be deemed to be a member of the council. He or she shall have superintendence and control of all the officers and affairs of the city, and shall take care that the ordinances of the city and all laws governing cities of the second class are complied with.

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

17-614 (1) 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. The mayor of a city of the second class may vote when his or her vote would provide the additional vote required to attain the number of votes equal to a majority of the number of members elected to the council, and the mayor shall, for the purpose of such vote, be deemed to be a member of the council. 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.

(2) 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:

(a) 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; and

(b) For an ordinance used solely to revise ordinances or code sections or to enact new ordinances or code sections in order to adopt statutory changes made by the Legislature which are specific and mandatory and bring the ordinances or code sections into conformance with state law, the title need only state that the ordinance revises those ordinances or code sections affected by or enacts ordinances or code sections generated by legislative changes. Under such title, all such ordinances or code sections may be revised, repealed, or enacted in sections and chapters or otherwise by a single ordinance without other title.

Sec. 3. Original sections 17-110 and 17-614, Reissue Revised Statutes of Nebraska, are repealed.