

## LEGISLATIVE BILL 790

Approved by the Governor April 20, 1989

Introduced by Hartnett, 45

AN ACT relating to cities of the first class; to amend sections 16-312 and 16-404, Reissue Revised Statutes of Nebraska, 1943; to change provisions relating to voting by the mayor; and to repeal the original sections.

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

Section 1. That section 16-312, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

16-312. The mayor shall preside at all the meetings of the city council and shall have the right to vote when his or her vote shall be decisive and the city council is equally divided on any pending matter; legislation; or transaction will provide the additional vote required to create a number of votes equal to a majority of the number of members elected to the council. He or she shall have the superintending control of all the officers and affairs of the city; and shall take care that the ordinances of the city and the provisions of law relating to cities of the first class are complied with. He or she may administer oaths; and shall sign the commissions and appointments of all the officers appointed in the city.

Sec. 2. That section 16-404, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

16-404. 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. The mayor may vote on any such matter when his or her vote shall be decisive and the council is equally divided will provide the additional vote required to create a 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 members vote to suspend this requirement, except that in a city having a commission form of government such requirement may be

suspended by a two-thirds majority vote. In case such requirement shall be suspended, such ordinances shall be read by title or number and then moved for final passage. Three-fourths of the council members may require a reading of any such ordinance in full before enactment under either procedure set out in this section, except that in a city having the commission form of government such reading may be required by a two-thirds majority vote. Ordinances shall contain no subject which shall not be 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 shall be repealed, except that ; PROVIDED, for an ordinance revising all the ordinances of the city, the only title necessary shall be An ordinance of the city of ....., revising all the ordinances of the city. Under such title all the ordinances may be revised in sections and chapters, or otherwise, and corrected, added to, and any part suppressed, and may be repealed with or without saving clause as to the whole or any part, without other title.

Sec. 3. That original sections 16-312 and 16-404, Reissue Revised Statutes of Nebraska, 1943, are repealed.