

AMENDMENTS TO LB285
(Amendments to AM1133)

Introduced by Brewer, 43.

1 1. Insert the following new sections:

2 Sec. 3. Section 16-404, Revised Statutes Cumulative Supplement,
3 2020, is amended to read:

4 16-404 (1) All ordinances and resolutions or orders for the
5 appropriation or payment of money in a city of the first class shall
6 require for their passage or adoption the concurrence of a majority of
7 all members elected to the city council. The mayor may vote on any such
8 matter when his or her vote will provide the additional vote required to
9 create a number of votes equal to a majority of the number of members
10 elected to the city council, and the mayor shall, for the purpose of such
11 vote, be deemed to be a member of the city council.

12 (2)(a) ~~(2)~~ Ordinances of a general or permanent nature in a city of
13 the first class shall be read by title on three different days unless
14 three-fourths of the city council members vote to suspend this
15 requirement, except that in a city having a commission plan of government
16 such requirement may be suspended by a three-fifths majority vote.

17 (b) Regardless of the form of government, such requirement shall not
18 be suspended for any ordinance for the annexation of territory or the
19 redrawing of boundaries for city council election districts or wards
20 except as otherwise provided in subsection (4) of this section.

21 (c) In case such requirement is suspended, the ordinances shall be
22 read by title or number and then moved for final passage.

23 (d) Three-fourths of the city council members may require a reading
24 of any such ordinance in full before enactment under either procedure set
25 out in this section, except that in a city having a commission plan of
26 government, such reading may be required by a three-fifths majority vote.

1 (3) Ordinances in a city of the first class shall contain no subject
2 which is not clearly expressed in the title, and, except as provided in
3 section 19-915, no ordinance or section thereof shall be revised or
4 amended unless the new ordinance contains the entire ordinance or section
5 as revised or amended and the ordinance or section so amended is
6 repealed, except that:

7 (a) For an ordinance revising all the ordinances of a city of the
8 first class, the only title necessary shall be An ordinance of the city
9 of, revising all the ordinances of the city. Under such title
10 all the ordinances may be revised in sections and chapters or otherwise,
11 may be corrected, added to, and any part suppressed, and may be repealed
12 with or without a saving clause as to the whole or any part without other
13 title; and

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

24 (4) Following the release of the 2020 Census of Population data by
25 the United States Department of Commerce, Bureau of the Census, as
26 required by Public Law 94-171, the city council of any city of the first
27 class requesting the adjustment of the boundaries of election districts
28 shall provide to the election commissioner or county clerk (a) written
29 notice of the need and necessity of his or her office to perform such
30 adjustments and (b) a revised election district boundary map that has
31 been approved by the requesting city council and subjected to all public

1 review and challenge ordinances of the city by December 30, 2021. The
2 revised election district boundary map shall be adopted by ordinance.
3 Such ordinance shall be read by title on three different days unless
4 three-fourths of the city council members vote to suspend this
5 requirement.

6 Sec. 4. Section 17-614, Revised Statutes Cumulative Supplement,
7 2020, is amended to read:

8 17-614 (1)(a) ~~(1)~~ All ordinances and resolutions or orders for the
9 appropriation or payment of money shall require for their passage or
10 adoption the concurrence of a majority of all members elected to the city
11 council in a city of the second class or village board of trustees. The
12 mayor of a city of the second class may vote when his or her vote would
13 provide the additional vote required to attain the number of votes equal
14 to a majority of the number of members elected to the city council, and
15 the mayor shall, for the purpose of such vote, be deemed to be a member
16 of the city council.

17 (b) Ordinances of a general or permanent nature shall be read by
18 title on three different days unless three-fourths of the city council or
19 village board of trustees vote to suspend this requirement. Such ~~—except~~
20 ~~that such~~ requirement shall not be suspended for any ordinance for the
21 annexation of territory or the redrawing of boundaries for city council
22 or village board of trustees election districts or wards except as
23 otherwise provided in subsection (3) of this section.

24 (c) In case such requirement is suspended, the ordinances shall be
25 read by title and then moved for final passage.

26 (d) Three-fourths of the city council or village board of trustees
27 may require a reading of any such ordinance in full before enactment
28 under either procedure set out in this section.

29 (2) Ordinances shall contain no subject which is not clearly
30 expressed in the title, and, except as provided in section 19-915, no
31 ordinance or section of such ordinance shall be revised or amended unless

1 the new ordinance contains the entire ordinance or section as revised or
2 amended and the ordinance or section so amended is repealed, except that:

3 (a) For an ordinance revising all the ordinances of the city of the
4 second class or village, the title need only state that the ordinance
5 revises all the ordinances of the city or village. Under such title all
6 the ordinances may be revised in sections and chapters or otherwise, may
7 be corrected, added to, and any part suppressed, and may be repealed with
8 or without a saving clause as to the whole or any part without other
9 title; and

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

20 (3) Following the release of the 2020 Census of Population data by
21 the United States Department of Commerce, Bureau of the Census, as
22 required by Public Law 94-171, the city council of any city of the second
23 class or village board of trustees requesting the adjustment of the
24 boundaries of election districts shall provide to the election
25 commissioner or county clerk (a) written notice of the need and necessity
26 of his or her office to perform such adjustments and (b) a revised
27 election district boundary map that has been approved by the requesting
28 city council or village board of trustees and subjected to all public
29 review and challenge ordinances of the city or village by December 30,
30 2021. The revised election district boundary map shall be adopted by
31 ordinance. Such ordinance shall be read by title on three different days

1 unless three-fourths of the members of the city council or village board
2 of trustees vote to suspend this requirement.

3 Sec. 12. Section 32-716, Reissue Revised Statutes of Nebraska, is
4 amended to read:

5 32-716 (1) Any person, group, or association desiring to form a new
6 political party shall present to the Secretary of State petitions
7 containing signatures totaling not less than one percent of the total
8 votes cast for Governor at the most recent general election for such
9 office. The signatures of registered voters on such petitions shall be so
10 distributed as to include registered voters totaling at least one percent
11 of the votes cast for Governor in the most recent gubernatorial election
12 in each of the three congressional districts in this state. Petition
13 signers and petition circulators shall conform to the requirements of
14 sections 32-629 and 32-630. The petitions shall be filed with the
15 Secretary of State no later than January 15 ~~February 1~~ before any
16 statewide primary election for the new political party to be entitled to
17 have ballot position in the primary election of that year. If the new
18 political party desires to be established and have ballot position for
19 the general election and not in the primary election of that year, the
20 petitions shall be filed with the Secretary of State on or before July 15
21 ~~August 1~~ of that year. Prior to the circulation of petitions to form a
22 new political party, a sample copy of the petitions shall be filed with
23 the Secretary of State by the person, group, or association seeking to
24 establish the new party. The sample petition shall be accompanied by the
25 name and address of the person or the names and addresses of the members
26 of the group or association sponsoring the petition to form a new
27 political party. The sponsor or sponsors of the petition shall file, as
28 one instrument, all petition papers comprising a new political party
29 petition for signature verification with the Secretary of State. All
30 signed petitions in circulation but not filed with the Secretary of State
31 shall become invalid after July 15 in the year of the statewide general

1 election.

2 (2) The petition shall conform to the requirements of section
3 32-628. The Secretary of State shall prescribe the form of the petition
4 for the formation of a new political party. The petition shall be
5 addressed to and filed with the Secretary of State and shall state its
6 purpose and the name of the party to be formed. Such name shall not be or
7 include the name of any political party then in existence or any word
8 forming any part of the name of any political party then in existence,
9 and in order to avoid confusion regarding party affiliation of a
10 candidate or registered voter, the name of the party to be formed shall
11 not include the word "independent" or "nonpartisan". The petition shall
12 contain a statement substantially as follows:

13 We, the undersigned registered voters of the State of Nebraska and
14 the county of, being severally qualified to sign this
15 petition, respectfully request that the above-named new political party
16 be formed in the State of Nebraska, and each for himself or herself says:
17 I have personally signed this petition on the date opposite my name; I am
18 a registered voter of the State of Nebraska and county of
19 and am qualified to sign this petition; and my date of birth and city,
20 village, or post office address and my street and number or voting
21 precinct are correctly written after my name.

22 Sec. 13. Section 32-717, Reissue Revised Statutes of Nebraska, is
23 amended to read:

24 32-717 Within twenty business ~~ten~~ days after all the petitions to
25 form a new political party which contain signatures are filed with the
26 Secretary of State, he or she shall determine the validity and
27 sufficiency of such petitions and signatures. Clerical and technical
28 errors in a petition shall be disregarded if the forms prescribed by the
29 Secretary of State are substantially followed. If the petitions are
30 determined to be sufficient and valid, the Secretary of State shall issue
31 a certification establishing the new political party. Copies of such

1 certification shall be issued to the person, group, or association
2 forming the new political party. Within twenty days after the
3 certification of establishment of the new political party by the
4 Secretary of State, the person, group, or association forming the new
5 political party or its new officers shall file with the Secretary of
6 State the constitution and bylaws of such party along with a certified
7 list of the names and addresses of the officers of the new political
8 party.

9 2. On page 2, line 12; page 4, line 17; page 5, line 22; page 7,
10 line 22; page 10, line 19; and page 12, line 23, after "Census," insert
11 "as required by Public Law 94-171,".

12 3. Renumber the remaining sections and correct the repealer
13 accordingly.