

LEGISLATURE OF NEBRASKA  
ONE HUNDRED SIXTH LEGISLATURE  
SECOND SESSION

**LEGISLATIVE BILL 993**

Introduced by Lowe, 37.

Read first time January 14, 2020

Committee:

- 1 A BILL FOR AN ACT relating to city manager plan of government; to amend
- 2 section 32-538, Revised Statutes Supplement, 2019; to change
- 3 provisions relating to the number of members of the city council as
- 4 prescribed; and to repeal the original section.
- 5 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 32-538, Revised Statutes Supplement, 2019, is  
2 amended to read:

3 32-538 (1) In a city which adopts the city manager plan of  
4 government pursuant to the City Manager Plan of Government Act, the  
5 number of city council members shall be determined by the class and  
6 population of the city. In cities having one thousand or more but not  
7 more than forty thousand inhabitants as determined by the most recent  
8 federal decennial census or the most recent revised certified count by  
9 the United States Bureau of the Census, there shall be five members, and  
10 in cities having more than forty thousand but less than two hundred  
11 thousand inhabitants as determined by the most recent federal decennial  
12 census or the most recent revised certified count by the United States  
13 Bureau of the Census, there shall be seven members, except that in cities  
14 having between ~~ten~~ ~~twenty-five~~ thousand and forty thousand inhabitants as  
15 determined by the most recent federal decennial census or the most recent  
16 revised certified count by the United States Bureau of the Census, the  
17 city council may by ordinance provide for seven members. Council members  
18 shall be elected from the city at large unless the city council by  
19 ordinance provides for the election of all or some of its council members  
20 by wards, the number and boundaries of which are provided for in section  
21 16-104. Council members shall serve for terms of four years or until  
22 their successors are elected and qualified. The council members shall  
23 meet the qualifications found in sections 19-613 and 19-613.01.

24 The first election under an ordinance changing the number of council  
25 members or their manner of election shall take place at the next regular  
26 city election. Council members whose terms of office expire after the  
27 election shall continue in office until the expiration of the terms for  
28 which they were elected and until their successors are elected and  
29 qualified. At the first election under an ordinance changing the number  
30 of council members or their manner of election, one-half or the bare  
31 majority of council members elected at large, as the case may be, who

1 receive the highest number of votes shall serve for four years and the  
2 other or others, if needed, for two years. At such first election, one-  
3 half or the bare majority of council members, as the case may be, who are  
4 elected by wards shall serve for four years and the other or others, if  
5 needed, for two years, as provided in the ordinance. If only one council  
6 member is to be elected at large at such first election, such member  
7 shall serve for four years.

8 (2) Commencing with the statewide primary election in 1976, and  
9 every two years thereafter, those candidates whose terms will be expiring  
10 shall be nominated at the statewide primary election and elected at the  
11 statewide general election.

12 Sec. 2. Original section 32-538, Revised Statutes Supplement, 2019,  
13 is repealed.