

LEGISLATIVE JOURNAL—SEVENTIETH SESSION

THIRD DAY

Legislative Chamber, Lincoln, Nebraska
Wednesday, August 3, 1960

Pursuant to adjournment, the Legislature met at 5:00 p.m., Speaker Pizer presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Mr. Donner who was excused.

The Journal for the Second Day was approved.

STANDING COMMITTEE REPORTS**Enrollment and Review**

LEGISLATIVE BILL 3. Correctly engrossed.

(Signed) Joe T. Vosoba, Chairman

Ease

The Legislature was at ease from 5:04 until 6:06 p.m.

Visitors

Mr. Tews introduced his wife, Joan, and his mother, Mrs. Irma Reeker of Norfolk.

Mr. Romans introduced Mr. Ralph Miska of York.

Mr. Pizer introduced Mr. and Mrs. Frank J. Srb, Jr., and children, Nancy Jo and Robert, of Roanoke, Virginia, and Miss Sarah Srb of Lincoln.

Mr. Portsche introduced Mr. Marvin Stromer of Lincoln.

SPECIAL COMMITTEE REPORTS

LEGISLATIVE BILL 2. Placed on General File as amended.

Special Committee amendments to LB 2:

1. Amend the bill by striking Sections 1 and 2 and inserting in lieu thereof the following:

“Section 1. In order to aid in defraying the expense of salaries, wages, and maintenance of the Division of Nebraska Resources for the biennium ending June 30, 1961, there is hereby appropriated from the state General Fund the sum of thirty-five thousand dollars to supplement the amount heretofore appropriated for that purpose.

Sec. 2. The Auditor of Public Accounts is hereby authorized and directed to draw his warrants upon the proper fund in the state treasury for, but never in excess of, the sum herein specified upon presentation of proper vouchers. The State Treasurer shall pay the warrants out of money in the state General Fund not otherwise appropriated.”

2. Amend the title of the bill by striking lines 2 to 4 and inserting in lieu thereof the following:

“FOR AN ACT to appropriate the sum of thirty-five thousand dollars to aid in defraying the expense of salaries, wages, and maintenance of the Division of Nebraska Resources for”

(Signed) Otto H. Liebers, Chairman

LEGISLATIVE BILL 1. Placed on General File as amended.

Special Committee amendments to LB 1:

1. Amend page 2 of the bill, section 1, line 3 by striking “XI” and inserting “XV”.

2. Amend page 2 of the bill, section 1, by striking lines 6 to 28 and inserting in lieu thereof the following:

“Sec. 16. Notwithstanding any other provision in the Constitution, the Legislature may authorize any county, incorporated city or village, including cities operating under home rule charters, to acquire, own, develop, and lease real and personal property to manufacturing and industrial enterprises and to issue revenue bonds for the purpose of defraying the cost of acquiring and developing such property by construction, purchase, or otherwise. Such bonds shall not become general obligation bonds of the governmental subdivision by which such bonds are issued. Any such real or personal property so acquired, owned, developed or used by any such county, city or village, shall be subject to taxation to the same extent as private property during the time it is leased to or held by private interests, notwithstanding the provisions of Article VIII, section 2, of the Constitution. The acquiring, owning, developing, and leasing of such

property shall be deemed for a public purpose, but the governmental subdivision shall not have the right to acquire such property by condemnation. The provisions of Article XIII, section 2, of the Constitution, shall not apply to the issuance of revenue bonds herein provided for. The principal of and interest on any bonds issued may be secured by a pledge of the lease and the revenues therefrom and by mortgage upon such property. No such governmental subdivision shall have the power to operate any such property as a business or in any manner except as the lessor thereof.'"

3. Amend pages 2 and 3 of the bill, section 2, by striking lines 6 to 11, and inserting in lieu thereof the following:

"Constitutional amendment to authorize the Legislature to permit counties, cities and villages to acquire, develop and own real and personal property to be leased to private enterprises for manufacturing and industrial use, and to issue revenue bonds to defray the cost thereof, which bonds shall not be a general obligation of the governmental subdivisions issuing such bonds; such real and personal property to be taxed when leased to private enterprises."

4. Amend the title of the bill, line 3, by striking "XI" and inserting "XV", line 4 by striking "municipal corporations" and inserting "counties, cities and villages", lines 6 and 7 by striking "municipalities" and inserting "counties, cities and villages", lines 13 and 14 by striking "of the leasehold and other property".

LEGISLATIVE RESOLUTION 1. Reported back to the Legislature with the recommendation that it be adopted and amended as follows:

WHEREAS, it is essential to promote a sound and proper balance between agriculture, commerce, and industry in the State of Nebraska; and

WHEREAS, it is desirable to encourage industry to locate in this state in order to promote a better balance in our economy; and

WHEREAS, counties, cities, and villages should receive assistance in their efforts to encourage industry to locate in this state,

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NEBRASKA LEGISLATURE IN SEVENTIETH SESSION ASSEMBLED:

1. That at the general election in November, 1960, there shall be submitted to the electors of the State of Nebraska for approval

the following amendment to Article XV of the Constitution of Nebraska, which is hereby proposed by the Legislature:

“Sec. 16. Notwithstanding any other provision in the Constitution, the Legislature may authorize any county, incorporated city or village, including cities operating under home rule charters, to acquire, own, develop, and lease real and personal property to manufacturing and industrial enterprises and to issue revenue bonds for the purpose of defraying the cost of acquiring and developing such property by construction, purchase, or otherwise. Such bonds shall not become general obligation bonds of the governmental subdivision by which such bonds are issued. Any such real or personal property so acquired, developed, owned, or used by any such county, city or village, shall be subject to taxation to the same extent as private property during the time it is leased to or held by such private interests, notwithstanding the provisions of Article VIII, section 2, of the Constitution. The acquiring, developing, owning, and leasing of such property shall be deemed for a public purpose, but the governmental subdivision shall not have the right to acquire such property by condemnation. The provisions of Article XIII, section 2 of the Constitution, shall not apply to the issuance of revenue bonds herein provided for. The principal of and interest on any bonds issued may be secured by a pledge of the lease and the revenues therefrom and by mortgage upon such property. No such governmental subdivision shall have the power to operate any such property as a business or in any manner except as the lessor thereof.”

Sec. 2. That the proposed amendment shall be submitted to the electors in the manner prescribed by Article XVI, section 1, of the Constitution of Nebraska. The proposition for the submission of the proposed amendment shall be placed upon the ballot in the following form:

“Constitutional amendment to authorize the Legislature to permit counties, cities and villages to acquire and own real and personal property to be leased to private enterprises for manufacturing and industrial use, and to issue revenue bonds to defray the cost thereof, which bonds shall not be a general obligation of the governmental subdivisions issuing such bonds; such real and personal property to be taxed when leased to private enterprises.

- For
- Against”

Sec. 3. That the proposed amendment, if adopted, shall be in force and take effect immediately upon the completion of the can-

vass of the votes, at which time it shall be the duty of the Governor to proclaim it as a part of the Constitution of Nebraska.

(Signed) Ray C. Simmons, Chairman

Adjournment

At 6:08 p.m., on a motion by Mr. Vosoba, the Legislature adjourned until 10:00 a.m., Thursday, August 4, 1960.

Hugo F. Srb
Clerk of the Legislature