LEGISLATIVE RESOLUTION 295CA
PROPOSED CONSTITUTIONAL AMENDMENT

Passed by the Legislature March 12, 2010.

Introduced by McGill, 26.

THE MEMBERS OF THE ONE HUNDRED FIRST LEGISLATURE OF NEBRASKA, SECOND
SESSION, RESOLVE THAT:

Section 1. At the primary election in May 2010 the following
proposed amendment to the Constitution of Nebraska shall be submitted to the
electors of the State of Nebraska for approval or rejection:

To add a new section 4 to Article XIII:

XIII-4 Notwithstanding any other provision in this Constitution,
the Legislature may authorize any county, city, or village to acquire, own,
develop, and lease or finance real and personal property, other than property
used or to be used for sectarian instruction or study or as a place for
devotional activities or religious worship, to be used, during the term of
any revenue bonds issued, only by nonprofit enterprises as determined by
law and to issue revenue bonds for the purpose of defraying the cost of
acquiring and developing or financing 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, and such governmental
subdivision shall have no authority to impose taxes for the payment of such
bonds. Notwithstanding the provisions of Article VIII, section 2, of this
Constitution, the acquisition, ownership, development, use, or financing of
any real or personal property pursuant to the provisions of this section shall
not affect the imposition of any taxes or the exemption therefrom by the
Legislature pursuant to this Constitution. The acquiring, owning, developing,
and leasing or financing of such property shall be deemed for a public
purpose, but the governmental subdivision shall not have the right to acquire
such property for the purposes specified in this section by condemnation.
The principal of and interest on any bonds issued may be secured by a pledge
of the lease and the revenue 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. The proposed amendment shall be submitted to the electors in
the manner prescribed by the Constitution of Nebraska, Article XVI, section 1,
with the following ballot language:

A constitutional amendment to authorize the use of revenue bonds
to develop and lease property for use by nonprofit enterprises as
determined by law.

For
Against.