

ONE HUNDRED THIRD LEGISLATURE

SECOND SESSION

LEGISLATIVE RESOLUTION 421CA

PROPOSED CONSTITUTIONAL AMENDMENT

Introduced by Lautenbaugh, 18.

Read first time January 22, 2014

Committee: Education

1 THE MEMBERS OF THE ONE HUNDRED THIRD LEGISLATURE OF
2 NEBRASKA, SECOND SESSION, RESOLVE THAT:

3 Section 1. At the general election in November 2014 the
4 following proposed amendment to the Constitution of Nebraska shall be
5 submitted to the electors of the State of Nebraska for approval or
6 rejection:

7 To amend Article XIII, section 1, and repeal Article VII,
8 sections 2 to 4:

9 XIII-1 The state may, to meet casual deficits, or
10 failures in the revenue, contract debts never to exceed in the
11 aggregate one hundred thousand dollars, and no greater indebtedness
12 shall be incurred except (1) for the purpose of repelling invasion,
13 suppressing insurrection, or defending the state in war, and
14 provision shall be made for the payment of the interest annually, as
15 it shall accrue, by a tax levied for the purpose, or from other
16 sources of revenue, which law providing for the payment of such
17 interest by such tax shall be irrevocable until such debt is paid;
18 ~~Provided,~~ (2) that if the Legislature determines by a three-fifths

1 vote of the members elected thereto that ~~(1)~~ (a) the need for
2 construction of highways in this state requires such action, it may
3 authorize the issuance of bonds for such construction, and for the
4 payment of the interest and the retirement of such bonds it may
5 pledge any tolls to be received from such highways or it may
6 irrevocably pledge for the term of the bonds all or a part of any
7 state revenue closely related to the use of such highways, such as
8 motor vehicle fuel taxes or motor vehicle license fees and ~~(2)~~ (b)
9 the construction of water retention and impoundment structures for
10 the purposes of water conservation and management will promote the
11 general welfare of the state, it may authorize the issuance of
12 revenue bonds for such construction, and for the payment of the
13 interest and the retirement of such bonds it may pledge all or any
14 part of any state revenue derived from the use of such structures;
15 ~~and provided further, (3)~~ (3) that the Board of Regents of the University
16 of Nebraska, and the Board of Trustees of the Nebraska State
17 Colleges, ~~and the State Board of Education~~ may issue revenue bonds to
18 construct, purchase, or otherwise acquire, extend, add to, remodel,
19 repair, furnish, and equip dormitories, residence halls, single or
20 multiple dwelling units, or other facilities for the housing and
21 boarding of students, single or married, and faculty or other
22 employees, buildings and structures for athletic purposes, student
23 unions or centers, and for the medical care and physical development
24 and activities of students, and buildings or other facilities for
25 parking, which bonds shall be payable solely out of revenue, fees,

1 and other payments derived from the use of the buildings and
2 facilities constructed or acquired, including buildings and
3 facilities heretofore or hereafter constructed or acquired, and paid
4 for out of the proceeds of other issues of revenue bonds, and the
5 revenue, fees, and payments so pledged need not be appropriated by
6 the Legislature, and any such revenue bonds heretofore issued by
7 either of such boards are hereby authorized, ratified, and validated.
8 Bonds for new construction shall be first approved as the Legislature
9 shall provide.

10 Article VII, sections 2 to 4, of the Constitution of
11 Nebraska are repealed.

12 Sec. 2. The proposed amendment shall be submitted to the
13 electors in the manner prescribed by the Constitution of Nebraska,
14 Article XVI, section 1, with the following ballot language:

15 A constitutional amendment to eliminate the authority of
16 the State Board of Education to issue revenue bonds and to eliminate
17 other constitutional references to the State Department of Education,
18 the State Board of Education, and the Commissioner of Education.

19 For

20 Against.