

ONE HUNDRED EIGHTH LEGISLATURE

FIRST SESSION

LEGISLATIVE RESOLUTION 2CA

PROPOSED CONSTITUTIONAL AMENDMENT

Introduced by Erdman, 47; Halloran, 33; Wayne, 13.

Read first time January 05, 2023

Committee: Executive Board

1 THE MEMBERS OF THE ONE HUNDRED EIGHTH LEGISLATURE OF NEBRASKA, FIRST
2 SESSION, RESOLVE THAT:

3 Section 1. At the general election in November 2024, the following
4 proposed amendment to the Constitution of Nebraska shall be submitted to
5 the electors of the State of Nebraska for approval or rejection:

6 To amend Article III, sections 1, 2, 5, 6, 7, 10, 11, 12, 13, 14,
7 17, 22, 24, and 27; Article IV, sections 1, 4, 7, 10, 12, 15, 16, and 27;
8 Article V, section 5; Article VII, sections 10 and 14; Article XIII,
9 section 1; and Article XVI, sections 1 and 2:

10 III-1 (1) Until the regular legislative session that begins in
11 January 2027, the The legislative authority of the state shall be vested
12 in a Legislature consisting of one chamber. Beginning with the regular
13 legislative session that begins in January 2027, the legislative
14 authority of the state shall be vested in a Legislature consisting of two
15 chambers: a House of Representatives and a Senate.

16 (2) The people reserve for themselves the power to propose laws and
17 amendments to the Constitution and to enact or reject the same at the
18 polls, independent of the Legislature, which power shall be called the
19 power of initiative. The people also reserve power at their own option to
20 approve or reject at the polls any act, item, section, or part of any act
21 passed by the Legislature, which power shall be called the power of
22 referendum.

23 III-2 The first power reserved by the people is the initiative

1 whereby laws may be enacted and constitutional amendments adopted by the
2 people independently of the Legislature. This power may be invoked by
3 petition wherein the proposed measure shall be set forth at length. If
4 the petition be for the enactment of a law, it shall be signed by seven
5 percent of the registered voters of the state, and if the petition be for
6 the amendment of the Constitution, the petition therefor shall be signed
7 by ten percent of such registered voters. In all cases the registered
8 voters signing such petition shall be so distributed as to include five
9 percent of the registered voters of each of two-fifths of the counties of
10 the state, and when thus signed, the petition shall be filed with the
11 Secretary of State who shall submit the measure thus proposed to the
12 electors of the state at the first general election held not less than
13 four months after such petition shall have been filed. The same measure,
14 either in form or in essential substance, shall not be submitted to the
15 people by initiative petition, either affirmatively or negatively, more
16 often than once in three years. If conflicting measures submitted to the
17 people at the same election be approved, the one receiving the highest
18 number of affirmative votes shall thereby become law as to all
19 conflicting provisions. The constitutional limitations as to the scope
20 and subject matter of statutes enacted by the Legislature shall apply to
21 those enacted by the initiative. Initiative measures shall contain only
22 one subject. The Legislature shall not amend, repeal, modify, or impair a
23 law enacted by the people by initiative, contemporaneously with the
24 adoption of this initiative measure or at any time thereafter, except
25 upon a vote of at least two-thirds of all the members of each house of
26 the Legislature.

27 III-5 (1) The Legislature shall by law determine the number of
28 members to be elected to the House of Representatives, except that there
29 shall not be more than sixty-three representatives. The legislative
30 districts in effect on January 1, 2023, shall continue as the districts
31 for the House of Representatives until such districts are redrawn

1 following the 2030 federal census as provided in this section. Members of
2 the unicameral Legislature elected or appointed to serve terms beginning
3 in the regular legislative session that begins in January 2025 shall be
4 representatives of the House of Representatives in January 2027 until
5 their terms expire, they are not reelected, or they are otherwise removed
6 from office in accordance with this Constitution.

7 (2) The Legislature shall by law and divide the state into
8 legislative districts for the House of Representatives. Any bill to draw
9 districts of the House of Representatives shall originate in the Senate.
10 In the creation of such districts, any county that contains population
11 sufficient to entitle it to two or more representatives ~~members of the~~
12 ~~Legislature~~ shall be divided into separate and distinct legislative
13 districts, as nearly equal in population as may be and composed of
14 contiguous and compact territory. One representative ~~member of the~~
15 ~~Legislature~~ shall be elected from each such district. The basis of
16 apportionment shall be the population excluding aliens, as shown by the
17 next preceding federal census. The Legislature shall redistrict the state
18 for the House of Representatives after each federal decennial census. In
19 any such redistricting, county lines shall be followed whenever
20 practicable, but other established lines may be followed at the
21 discretion of the Legislature.

22 (3)(a) The Senate shall consist of thirty-one members. Each senator
23 shall represent a district composed of three contiguous counties.

24 (b) On or before May 1, 2025, the Legislature shall by law divide
25 the state into legislative districts for the Senate. Thereafter, the
26 Legislature may by law redistrict such districts whenever deemed
27 appropriate, except that such districts shall always consist of three
28 contiguous counties and such districts shall not be redrawn more often
29 than once every ten years. Any bill to redistrict such districts shall
30 originate in the House of Representatives.

31 ~~III-6 The Legislature shall consist of not more than fifty members~~

1 ~~and not less than thirty members.~~ The sessions of the Legislature shall
2 be annual except as otherwise provided by this constitution or as may be
3 otherwise provided by law.

4 III-7 (1) The members of the House of Representatives from even-
5 numbered districts shall be elected for terms of four years at the
6 statewide general election in November 2026 and each four years
7 thereafter. The members of the House of Representatives from the odd-
8 numbered districts shall be elected for terms of four years at the
9 statewide general election in November 2028 and each four years
10 thereafter.

11 (2) The members of the Senate from even-numbered districts shall be
12 elected for terms of four years at the statewide general election in
13 November 2026 and each four years thereafter. The members of the Senate
14 from odd-numbered districts shall be elected for a term of two years at
15 the statewide general election in November 2026. The members of the
16 Senate from odd-numbered districts shall be elected for a term of four
17 years at the statewide general election in November 2028 and each four
18 years thereafter.

19 ~~(3) The At the general election to be held in November 1964, one-~~
20 ~~half the members of the Legislature, or as nearly thereto as may be~~
21 ~~practicable, shall be elected for a term of four years and the remainder~~
22 ~~for a term of two years, and thereafter all members shall be elected for~~
23 ~~a term of four years, with the manner of such elections shall election to~~
24 ~~be determined by the Legislature.~~

25 (4) When the House of Representatives or Senate Legislature is
26 redistricted, the members elected prior to the redistricting shall
27 continue in office, and the law providing for such redistricting shall
28 where necessary specify the newly established district which they shall
29 represent for the balance of their term.

30 (5) Each member shall be nominated and elected in a nonpartisan
31 manner and without any indication on the ballot that he or she is

1 affiliated with or endorsed by any political party or organization. Each
2 member of the Legislature shall receive a salary of not to exceed one
3 thousand dollars per month during the term of his or her office. In
4 addition to his or her salary, each member shall receive an amount equal
5 to his or her actual expenses in traveling by the most usual route once
6 to and returning from each regular or special session of the Legislature.
7 Members of the Legislature shall receive no pay nor perquisites other
8 than his or her salary and expenses, and employees of the Legislature
9 shall receive no compensation other than their salary or per diem.

10 III-10 (1) Regular ~~Beginning with the year 1975, regular~~ sessions of
11 the Legislature shall be held annually, commencing at 10 a.m. on the
12 first Wednesday after the first Monday in January of each year. The
13 duration of regular sessions held shall not exceed ninety legislative
14 days in odd-numbered years unless extended by a vote of four-fifths of
15 all members elected to each house of the Legislature, and shall not
16 exceed sixty legislative days in even-numbered years unless extended by a
17 vote of four-fifths of all members elected to each house of the
18 Legislature.

19 (2) Bills and resolutions under consideration by the Legislature
20 upon adjournment of a regular session held in an odd-numbered year may be
21 considered at the next regular session, as if there had been no such
22 adjournment.

23 (3) Neither house of the Legislature shall adjourn for more than
24 three days without the consent of the other house.

25 (4) The Lieutenant Governor shall preside in the Senate, but shall
26 vote only when the Senate Legislature is equally divided.

27 (5) A majority of the members elected to each house of the
28 Legislature shall constitute a quorum for each house. Each house ; the
29 Legislature shall determine the rules of its proceedings; and be the
30 judge of the election, returns, and qualifications of its members; and ;
31 shall choose its own officers, including a Speaker to preside when the

1 ~~Lieutenant Governor shall be absent, incapacitated, or shall act as~~
2 ~~Governor.~~

3 (6) The Senate shall choose a President pro tempore to preside when
4 the Lieutenant Governor is absent, incapacitated, or acting as Governor.

5 (7) The House of Representatives shall choose a Speaker. Beginning
6 in 2027, the Secretary of State shall call the House of Representatives
7 to order at the opening of each regular session of the Legislature and
8 preside over the house until a Speaker is chosen.

9 (8) No member shall be expelled except by a vote of two-thirds of
10 all members elected to such member's house of the Legislature, and no
11 member shall be twice expelled for the same offense. The House of
12 Representatives or Senate Legislature may punish by imprisonment any
13 person not a member thereof who is shall be guilty of disrespect to the
14 House of Representatives or Senate Legislature by disorderly or
15 contemptuous behavior in its presence. No , but no such imprisonment
16 shall extend beyond twenty-four hours at one time, unless the person
17 persists shall persist in such disorderly or contemptuous behavior.

18 III-11 The House of Representatives and Senate Legislature shall
19 each keep a journal of its proceedings and publish them, except such
20 parts as may require secrecy, and the yeas and nays of the members on any
21 question shall at the desire of any one of them be entered on the journal
22 of the respective house. All votes shall be viva voce. The doors of the
23 Legislature and of the committees of the Legislature shall be open,
24 except when the business shall be such as ought to be kept secret. The
25 yeas and nays of each member of any committee of the Legislature shall be
26 recorded and published on any question in committee to advance or to
27 indefinitely postpone any bill.

28 III-12 (1) No person shall be eligible to serve as a member of the
29 House of Representatives for four years next after the expiration of two
30 consecutive terms in the House of Representatives regardless of the
31 district represented.

1 (2) ~~(1)~~ No person shall be eligible to serve as a member of the
2 Senate Legislature for four years next after the expiration of two
3 consecutive terms in the Senate regardless of the district represented.

4 ~~(2) Service prior to January 1, 2001, as a member of the Legislature~~
5 ~~shall not be counted for the purpose of calculating consecutive terms in~~
6 ~~subsection (1) of this section.~~

7 (3) For the purpose of this section, service in office for more than
8 one-half of a term shall be deemed service for a term.

9 III-13 (1) The style of all bills shall be, Be it enacted by the
10 people of the State of Nebraska, and no law shall be enacted except by
11 bill. No bill shall be passed by the Legislature unless by the assent of
12 a majority of all members elected to each house and the yeas and nays on
13 the question of final passage of any bill shall be entered upon the
14 journal of each house.

15 (2) All bills passed by one house may be amended by the other house.
16 No amendment to a bill by one house shall be concurred in by the other
17 house and no conference committee report as to any bill shall be adopted
18 by either house, except by the assent of the same number of members as is
19 required for the passage of the original bill. Any bill may originate in
20 either house, except that bills appropriating money shall originate only
21 in the House of Representatives and except as provided in section 5 of
22 this article.

23 III-14 Every bill and resolution shall be read by title when
24 introduced, and a printed or electronic copy thereof provided for the use
25 of each member. The bill and all amendments thereto shall be made
26 available in printed or electronic form ~~printed and presented~~ before the
27 vote is taken upon its final passage and shall be read at large in each
28 house unless three-fifths of all the members elected to such house the
29 ~~Legislature~~ vote not to read the bill and all amendments at large. No
30 vote upon the final passage of any bill shall be taken until five
31 legislative days after its introduction nor until it has been on file for

1 final reading and passage for at least one legislative day. No bill shall
2 contain more than one subject, and the subject shall be clearly expressed
3 in the title. No law shall be amended unless the new act contains the
4 section or sections as amended and the section or sections so amended
5 shall be repealed. The presiding officer of each house ~~Lieutenant~~
6 ~~Governor, or the Speaker if acting as presiding officer,~~ shall sign, in
7 the presence of the respective house ~~Legislature~~ while it is in session
8 and capable of transacting business, all bills and resolutions passed by
9 such house ~~the Legislature~~.

10 III-17 (1) The Senate and House of Representatives in joint session
11 ~~Legislature~~ shall have the sole power of impeachment, but a majority of
12 all the members elected to each house must concur therein. Upon the
13 introduction of a resolution of impeachment by either house, the other
14 house shall at once be notified, and the two houses shall meet in joint
15 session for the purpose of acting upon such resolution within five
16 calendar days after such notification. Proceedings may be initiated in
17 either a regular session or a special session of the Legislature.

18 (2) Upon the adoption of a resolution of impeachment, which
19 resolution shall give reasonable notice of the acts or omissions alleged
20 to constitute impeachable offenses but need not conform to any particular
21 style, a notice of an impeachment of any officer, other than a Judge of
22 the Supreme Court, shall be forthwith served upon the Chief Justice, by
23 the Clerk of the House of Representatives ~~Legislature~~, who shall
24 thereupon call a session of the Supreme Court to meet at the Capitol in
25 an expeditious fashion after such notice to try the impeachment. A notice
26 of an impeachment of the Chief Justice or any Judge of the Supreme Court
27 shall be served by the Clerk of the House of Representatives ~~Legislature~~,
28 upon the clerk of the judicial district within which the Capitol is
29 located, and he or she thereupon shall choose, at random, seven Judges of
30 the District Court in the State to meet within thirty days at the
31 Capitol, to sit as a Court to try such impeachment, which Court shall

1 organize by electing one of its number to preside.

2 (3) The case against the impeached civil officer shall be brought in
3 the name of the Legislature and shall be managed by one Senator and one
4 Representative ~~two senators~~, appointed by their respective house the
5 Legislature, who may make technical or procedural amendments to the
6 articles of impeachment as they deem necessary. The trial shall be
7 conducted in the manner of a civil proceeding and the impeached civil
8 officer shall not be allowed to invoke a privilege against self-
9 incrimination, except as otherwise applicable in a general civil case. No
10 person shall be convicted without the concurrence of two-thirds of the
11 members of the Court of impeachment that clear and convincing evidence
12 exists indicating that such person is guilty of one or more impeachable
13 offenses, but judgment in cases of impeachment shall not extend further
14 than removal from office and disqualification to hold and enjoy any
15 office of honor, profit, or trust, in this State, but the party
16 impeached, whether convicted or acquitted, shall nevertheless be liable
17 to prosecution and punishment according to law. No officer shall exercise
18 his or her official duties after he or she shall have been impeached and
19 notified thereof, until he or she shall have been acquitted.

20 III-22 Each Legislature shall make appropriations for the expenses
21 of the Government. And whenever it is deemed necessary to make further
22 appropriations for deficiencies, the same shall require a two-thirds vote
23 of all the members elected to each house of the Legislature. Bills making
24 appropriations for the pay of members and officers of the Legislature,
25 and for the salaries of the officers of the Government, shall contain no
26 provision on any other subject.

27 III-24 (1) Except as provided in this section, the Legislature shall
28 not authorize any game of chance or any lottery or gift enterprise when
29 the consideration for a chance to participate involves the payment of
30 money for the purchase of property, services, or a chance or admission
31 ticket or requires an expenditure of substantial effort or time.

1 (2) The Legislature may authorize and regulate a state lottery
2 pursuant to subsection (3) of this section and other lotteries, raffles,
3 and gift enterprises which are intended solely as business promotions or
4 the proceeds of which are to be used solely for charitable or community
5 betterment purposes without profit to the promoter of such lotteries,
6 raffles, or gift enterprises.

7 (3)(a) The Legislature may establish a lottery to be operated and
8 regulated by the State of Nebraska. The proceeds of the lottery shall be
9 appropriated by the Legislature for the costs of establishing and
10 maintaining the lottery and for the following purposes, as directed by
11 the Legislature:

12 (i) The first five hundred thousand dollars after the payment of
13 prizes and operating expenses shall be transferred to the Compulsive
14 Gamblers Assistance Fund;

15 (ii) Forty-four and one-half percent of the money remaining after
16 the payment of prizes and operating expenses and the initial transfer to
17 the Compulsive Gamblers Assistance Fund shall be transferred to the
18 Nebraska Environmental Trust Fund to be used as provided in the Nebraska
19 Environmental Trust Act;

20 (iii) Forty-four and one-half percent of the money remaining after
21 the payment of prizes and operating expenses and the initial transfer to
22 the Compulsive Gamblers Assistance Fund shall be used for education as
23 the Legislature may direct;

24 (iv) Ten percent of the money remaining after the payment of prizes
25 and operating expenses and the initial transfer to the Compulsive
26 Gamblers Assistance Fund shall be transferred to the Nebraska State Fair
27 Board if the most populous city within the county in which the fair is
28 located provides matching funds equivalent to ten percent of the funds
29 available for transfer. Such matching funds may be obtained from the city
30 and any other private or public entity, except that no portion of such
31 matching funds shall be provided by the state. If the Nebraska State Fair

1 ceases operations, ten percent of the money remaining after the payment
2 of prizes and operating expenses and the initial transfer to the
3 Compulsive Gamblers Assistance Fund shall be transferred to the General
4 Fund; and

5 (v) One percent of the money remaining after the payment of prizes
6 and operating expenses and the initial transfer to the Compulsive
7 Gamblers Assistance Fund shall be transferred to the Compulsive Gamblers
8 Assistance Fund.

9 (b) No lottery game shall be conducted as part of the lottery unless
10 the type of game has been approved by a majority of the members of each
11 house of the Legislature.

12 (4) Nothing in this section shall be construed to prohibit (a) the
13 enactment of laws providing for the licensing and regulation of wagering
14 on the results of horseraces, wherever run, either within or outside of
15 the state, by the parimutuel method, when such wagering is conducted by
16 licensees within a licensed racetrack enclosure or (b) the enactment of
17 laws providing for the licensing and regulation of bingo games conducted
18 by nonprofit associations which have been in existence for a period of
19 five years immediately preceding the application for license, except that
20 bingo games cannot be conducted by agents or lessees of such associations
21 on a percentage basis.

22 (5) This section shall not apply to any law which is enacted
23 contemporaneously with the adoption of this subsection or at any time
24 thereafter and which provides for the licensing, authorization,
25 regulation, or taxation of all forms of games of chance when such games
26 of chance are conducted by authorized gaming operators within a licensed
27 racetrack enclosure.

28 III-27 No act shall take effect until three calendar months after
29 the adjournment of the session at which it passed, unless in case of
30 emergency, which is expressed in the preamble or body of the act, the
31 Legislature otherwise directs shall by a vote of two-thirds of all the

1 members elected to each house ~~otherwise direct~~. All laws shall be
2 published within sixty days after the adjournment of each session and
3 distributed among the several counties in such manner as the Legislature
4 may provide.

5 IV-1 The executive officers of the state shall be the Governor,
6 Lieutenant Governor, Secretary of State, Auditor of Public Accounts,
7 State Treasurer, Attorney General, and the heads of such other executive
8 departments as set forth herein or as may be established by law. The
9 Legislature may provide for the placing of the above named officers as
10 heads over such departments of government as it may by law establish.

11 The Governor, Lieutenant Governor, Attorney General, Secretary of
12 State, Auditor of Public Accounts, and State Treasurer shall be chosen at
13 the general election held in November 1974, and in each alternate even-
14 numbered year thereafter, for a term of four years and until their
15 successors shall be elected and qualified.

16 Each candidate for Governor shall select a person to be the
17 candidate for Lieutenant Governor on the general election ballot. In the
18 general election one vote shall be cast jointly for the candidates for
19 Governor and Lieutenant Governor. The Governor shall be ineligible to the
20 office of Governor for four years next after the expiration of two
21 consecutive terms for which he or she was elected.

22 The records, books, and papers of all executive officers shall be
23 kept at the seat of government. Executive officers shall reside within
24 the State of Nebraska during their respective terms of office. Officers
25 in the executive department of the state shall perform such duties as may
26 be provided by law.

27 The heads of all executive departments established by law, other
28 than those to be elected as provided herein, shall be appointed by the
29 Governor, with the consent of a majority of all members elected to each
30 house of the Legislature, but officers so appointed may be removed by the
31 Governor. Subject to the provisions of this Constitution, the heads of

1 the various executive or civil departments shall have power to appoint
2 and remove all subordinate employees in their respective departments.

3 IV-4 The returns of every election for the officers of the executive
4 department shall be sealed up and transmitted by the returning officers
5 to the Secretary of State, directed to the President pro tempore of the
6 Senate Speaker of the Legislature, who shall immediately after the
7 organization of the Legislature, and before proceeding to other business,
8 open and publish the same in a joint session of the Senate and House of
9 Representatives and in the presence of a majority of the members of each
10 house the Legislature. The person having the highest number of votes for
11 each of such ~~said~~ offices shall be declared duly elected; but if two or
12 more have an equal and the highest number of votes, the Legislature shall
13 choose one of such persons for said office. The conduct of election
14 contests for any of such ~~said~~ offices shall be in such manner as may be
15 prescribed by law.

16 IV-7 The Governor may, at the commencement of each session, and at
17 the close of the Governor's ~~his~~ term of office and whenever the
18 Legislature may require, give by message to the Legislature information
19 of the condition of the state, and shall recommend such measures as the
20 Governor ~~he~~ shall deem expedient. At a time fixed by law, the Governor ~~he~~
21 shall present, by message, a complete itemized budget of the financial
22 requirements of all departments, institutions, and agencies of the state
23 and a budget bill to be introduced by the Speaker of the House of
24 Representatives Legislature at the request of the Governor. Such ~~Said~~
25 budget bill shall be prepared with such expert assistance and under such
26 regulations as may be required by the Governor. No appropriations shall
27 be made in excess of the recommendation contained in such budget
28 including any amendment the Governor may make thereto unless by three-
29 fifths vote of each house of the Legislature, and such excess so approved
30 shall be subject to veto by the Governor.

31 IV-10 The Governor shall appoint with the approval of a majority of

1 each house of the Legislature, all persons whose offices are established
2 by the Constitution, or which may be created by law, and whose
3 appointment or election is not otherwise by law or herein provided for;
4 and no such person shall be appointed or elected by the Legislature. The
5 Governor shall have power to remove, for cause and after a public
6 hearing, any person whom the Governor ~~he~~ may appoint for a term except
7 officers provided for in Article V of the Constitution, and the Governor
8 ~~he~~ may declare such ~~his~~ office vacant, and fill the same as herein
9 provided as in other cases of vacancy. The Governor shall have power to
10 remove any other person whom the Governor ~~he~~ appoints at any time and for
11 any reason.

12 IV-12 If any nonelective state office, except offices provided for
13 in Article V of this Constitution, shall be vacated by death,
14 resignation, or otherwise, it shall be the duty of the Governor to fill
15 that office by appointment. If the Legislature is in session, such
16 appointment shall be subject to the approval of a majority of the members
17 of each house of the Legislature. If the Legislature is not in session,
18 the Governor shall make a temporary appointment until the next session of
19 the Legislature, at which time a majority of the members of each house of
20 the Legislature shall have the right to approve or disapprove the
21 appointment. All appointees shall hold their office until their
22 successors shall be appointed and qualified. No person after being
23 rejected by the Legislature shall be again nominated for the same office
24 at the same session, unless at request of the Legislature, or be
25 appointed to the same office during the recess or adjournment of the
26 Legislature.

27 IV-15 Every bill passed by the Legislature, before it becomes a law,
28 shall be presented to the Governor. If the Governor ~~he~~ approves, he or
29 she shall sign it, and thereupon it shall become a law. If the Governor ~~7~~
30 ~~but if he~~ does not approve or reduces any item or items of
31 appropriations, the Governor ~~he~~ shall return it with his or her

1 objections to the Legislature, which shall enter the objections at large
2 upon the its journal of each house, and proceed to reconsider the bill
3 with the objections as a whole, or proceed to reconsider individually the
4 item or items disapproved or reduced. If then three-fifths of the members
5 elected to each house agree to pass the bill with objections, it shall
6 become a law, or if three-fifths of the members elected to each house
7 agree to repass any item or items disapproved or reduced, the bill with
8 such repassage shall become a law. In all cases the vote shall be
9 determined by yeas and nays, to be entered upon the journal of each
10 house. Any bill which shall not be returned by the Governor within five
11 days (Sundays excepted) after it shall have been presented to the
12 Governor him, shall become a law in like manner as if the Governor he had
13 signed it; unless the Legislature by their adjournment prevent its
14 return; in which case it shall be filed, with the Governor's his
15 objections, in the office of the Secretary of State within five days
16 after such adjournment, or become a law. The Governor may disapprove or
17 reduce any item or items of appropriation contained in bills passed by
18 the Legislature, and the item or items so disapproved shall be stricken
19 therefrom, and the items reduced shall remain as reduced unless the
20 Legislature has reconsidered the item or items disapproved or reduced and
21 has repassed any such item or items over the objection of the Governor by
22 a three-fifths approval of the members elected to each house.

23 IV-16 In case of the conviction of the Governor on impeachment, or
24 the Governor's his removal from office, his resignation, or his death,
25 the Lieutenant Governor, the Speaker of the House of Representatives,
26 Legislature and such other persons designated by law shall in that order
27 be Governor for the remainder of the Governor's term.

28 In case of the death of the Governor-elect, the Lieutenant Governor-
29 elect, the Speaker of the House of Representatives, Legislature and such
30 other persons designated by law shall become Governor in that order at
31 the commencement of the Governor-elect's term.

1 If the Governor or the person in line of succession to serve as
2 Governor is absent from the state, or suffering under an inability, the
3 powers and duties of the office of Governor shall devolve in order of
4 precedence until the absence or inability giving rise to the devolution
5 of powers ceases as provided by law. ~~The After January 1, 1975, the~~
6 Lieutenant Governor shall serve on all boards and commissions in lieu of
7 the Governor whenever so designated by the Governor, shall perform such
8 duties as may be delegated ~~him~~ by the Governor, and shall devote his or
9 her full time to the duties of the his office of Lieutenant Governor.

10 IV-27 No executive state office other than herein provided shall be
11 created except by a two-thirds majority of all members elected to each
12 house of the Legislature.

13 V-5 The Legislature shall divide the state into six contiguous and
14 compact districts of approximately equal population, which shall be
15 numbered from one to six, which shall be known as the Supreme Court
16 judicial districts. The Legislature shall redistrict the state after each
17 federal decennial census. In any such redistricting, county lines shall
18 be followed whenever practicable, but other established lines may be
19 followed at the discretion of the Legislature. Such districts shall not
20 be changed except upon the concurrence of a majority of the members of
21 each house of the Legislature. Whenever the Supreme Court is
22 redistricted, the judges serving prior to the redistricting shall
23 continue in office, and the law providing for such redistricting shall
24 where necessary specify the newly established districts which they shall
25 represent for the balance of their terms.

26 VII-10 The general government of the University of Nebraska shall,
27 under the direction of the Legislature, be vested in a board of not less
28 than six nor more than eight regents to be designated the Board of
29 Regents of the University of Nebraska, who shall be elected from and by
30 districts as herein provided and three students of the University of
31 Nebraska who shall serve as nonvoting members. Such nonvoting student

1 members shall consist of the student body president of the University of
2 Nebraska at Lincoln, the student body president of the University of
3 Nebraska at Omaha, and the student body president of the University of
4 Nebraska Medical Center. The terms of office of elected members shall be
5 for six years each. The terms of office of student members shall be for
6 the period of service as student body president. Their duties and powers
7 shall be prescribed by law; and they shall receive no compensation, but
8 may be reimbursed their actual expenses incurred in the discharge of
9 their duties.

10 The Legislature shall divide the state, along county lines, into as
11 many compact regent districts, as there are regents provided by the
12 Legislature, of approximately equal population, which shall be numbered
13 consecutively.

14 The Legislature shall redistrict the state after each federal
15 decennial census. Such districts shall not be changed except upon the
16 concurrence of a majority of the members of each house of the
17 Legislature. In any such redistricting, county lines shall be followed
18 whenever practicable, but other established lines may be followed at the
19 discretion of the Legislature. Whenever the state is so redistricted the
20 members elected prior to the redistricting shall continue in office, and
21 the law providing for such redistricting shall where necessary specify
22 the newly established district which they shall represent for the balance
23 of their term.

24 VII-14 On January 1, 1992, there shall be established the
25 Coordinating Commission for Postsecondary Education which shall, under
26 the direction of the Legislature, be vested with the authority for the
27 coordination of public postsecondary educational institutions. Public
28 postsecondary educational institutions shall include each postsecondary
29 educational campus or institution which is governed by the Board of
30 Regents of the University of Nebraska, the Board of Trustees of the
31 Nebraska State Colleges, any board or boards established for the

1 community colleges, or any other governing board for any other public
2 postsecondary educational institution which may be established by the
3 Legislature.

4 Coordination shall mean:

5 (1) Authority to adopt, and revise as needed, a comprehensive
6 statewide plan for postsecondary education which shall include (a)
7 definitions of the role and mission of each public postsecondary
8 educational institution within any general assignments of role and
9 mission as may be prescribed by the Legislature and (b) plans for
10 facilities which utilize tax funds designated by the Legislature;

11 (2) Authority to review, monitor, and approve or disapprove each
12 public postsecondary educational institution's programs and capital
13 construction projects which utilize tax funds designated by the
14 Legislature in order to provide compliance and consistency with the
15 comprehensive plan and to prevent unnecessary duplication; and

16 (3) Authority to review and modify, if needed to promote compliance
17 and consistency with the comprehensive statewide plan and prevent
18 unnecessary duplication, the budget requests of the Board of Regents of
19 the University of Nebraska, the Board of Trustees of the Nebraska State
20 Colleges, any board or boards established for the community colleges, or
21 any other governing board for any other public postsecondary educational
22 institution which may be established by the Legislature.

23 The Legislature may provide the commission with additional powers
24 and duties related to postsecondary education as long as such powers and
25 duties do not invade the governance and management authority of the Board
26 of Regents of the University of Nebraska and the Board of Trustees of the
27 Nebraska State Colleges as provided in the Constitution of Nebraska,
28 Article VII, sections 10 and 13. The Legislature may provide that
29 coordination of the community colleges by the commission pursuant to this
30 section may be conducted through a board or association representing all
31 the community colleges.

1 Nothing in this section providing for statewide coordination shall
2 limit or require the use of property tax revenue by and for community
3 colleges.

4 The commission shall consist of eleven members, residents of the
5 state or the districts for which appointed, who shall be appointed by the
6 Governor with the approval of a majority of each house of the
7 Legislature. Six of the members shall be chosen from six districts of
8 approximately equal population and five shall be chosen on a statewide
9 basis.

10 The terms of the members of the commission shall be six years or
11 until a successor is qualified and takes office, except that of the
12 members initially appointed, four members shall serve for terms of two
13 years and four members shall serve for terms of four years. The members
14 of the commission shall receive no compensation for the performance of
15 their duties but may be reimbursed their actual and necessary expenses.

16 XIII-1 The state may, to meet casual deficits, or failures in the
17 revenue, contract debts never to exceed in the aggregate one hundred
18 thousand dollars, and no greater indebtedness shall be incurred except
19 for the purpose of repelling invasion, suppressing insurrection, or
20 defending the state in war, and provision shall be made for the payment
21 of the interest annually, as it shall accrue, by a tax levied for the
22 purpose, or from other sources of revenue, which law providing for the
23 payment of such interest by such tax shall be irrevocable until such
24 debt is paid; Provided, that if the Legislature determines by a three-
25 fifths vote of the members elected to each house thereto that (1) the
26 need for construction of highways in this state requires such action, it
27 may authorize the issuance of bonds for such construction, and for the
28 payment of the interest and the retirement of such bonds it may pledge
29 any tolls to be received from such highways or it may irrevocably pledge
30 for the term of the bonds all or a part of any state revenue closely
31 related to the use of such highways, such as motor vehicle fuel taxes or

1 motor vehicle license fees and (2) the construction of water retention
2 and impoundment structures for the purposes of water conservation and
3 management will promote the general welfare of the state, it may
4 authorize the issuance of revenue bonds for such construction, and for
5 the payment of the interest and the retirement of such bonds it may
6 pledge all or any part of any state revenue derived from the use of such
7 structures; and provided further, that the Board of Regents of the
8 University of Nebraska, the Board of Trustees of the Nebraska State
9 Colleges, and the State Board of Education may issue revenue bonds to
10 construct, purchase, or otherwise acquire, extend, add to, remodel,
11 repair, furnish, and equip dormitories, residence halls, single or
12 multiple dwelling units, or other facilities for the housing and boarding
13 of students, single or married, and faculty or other employees, buildings
14 and structures for athletic purposes, student unions or centers, and for
15 the medical care and physical development and activities of students, and
16 buildings or other facilities for parking, which bonds shall be payable
17 solely out of revenue, fees, and other payments derived from the use of
18 the buildings and facilities constructed or acquired, including buildings
19 and facilities heretofore or hereafter constructed or acquired, and paid
20 for out of the proceeds of other issues of revenue bonds, and the
21 revenue, fees, and payments so pledged need not be appropriated by the
22 Legislature, and any such revenue bonds heretofore issued by either of
23 such boards are hereby authorized, ratified, and validated. Bonds for new
24 construction shall be first approved as the Legislature shall provide.

25 XVI-1 The Legislature may propose amendments to this Constitution.
26 If the same be agreed to by three-fifths of the members elected to each
27 house of the Legislature, such proposed amendments shall be entered on
28 the journal of each house, with yeas and nays, and published once each
29 week for three consecutive weeks, in at least one newspaper in each
30 county, where a newspaper is published, immediately preceding the next
31 election of members of the Legislature or a special election called by

1 the vote of four-fifths of the members elected to each house of the
2 Legislature for the purpose of submitting such proposed amendments to the
3 electors. At such election such said amendments shall be submitted to the
4 electors for approval or rejection upon a ballot separate from that upon
5 which the names of candidates appear. If a majority of the electors
6 voting on any such amendment adopt the same, it shall become a part of
7 this Constitution, provided the votes cast in favor of such amendment
8 shall not be less than thirty-five per cent of the total votes cast at
9 such election. When two or more amendments are submitted at the same
10 election, they shall be so submitted as to enable the electors to vote on
11 each amendment separately.

12 XVI-2 When three-fifths of the members elected to each house of the
13 Legislature deem it necessary to call a convention to revise, amend, or
14 change this constitution, they shall recommend to the electors to vote at
15 the next election of members of the Legislature, for or against a
16 convention, and if a majority of the electors voting on the proposition,
17 vote for a convention, the Legislature shall, at its next session provide
18 by law for calling the same; Provided, the votes cast in favor of calling
19 a convention shall not be less than thirty-five per cent of the total
20 votes cast at such election. The convention shall consist of not more
21 than one hundred members, the exact number to be determined by the
22 Legislature, and to be nominated and elected from districts in the manner
23 to be prescribed by the Legislature. Such members shall meet within three
24 months after their election, for the purpose aforesaid. No amendment or
25 change of this constitution, agreed upon by such convention, shall take
26 effect until the same has been submitted to the electors of the state,
27 and adopted by a majority of those voting for and against the same.

28 ~~To repeal Article XVII, section 1:~~

29 ~~Article XVII, section 1, of the Constitution of Nebraska is~~
30 ~~repealed.~~

31 Sec. 2. At the general election in November 2024, the following

1 proposed amendment to the Constitution of Nebraska shall be submitted to
2 the electors of the State of Nebraska for approval or rejection:

3 To amend Article III, section 7:

4 III-7 At the general election to be held in November 1964, one-half
5 the members of the Legislature, or as nearly thereto as may be
6 practicable, shall be elected for a term of four years and the remainder
7 for a term of two years, and thereafter all members shall be elected for
8 a term of four years, with the manner of such election to be determined
9 by the Legislature. When the Legislature is redistricted, the members
10 elected prior to the redistricting shall continue in office, and the law
11 providing for such redistricting shall where necessary specify the newly
12 established district which they shall represent for the balance of their
13 term. ~~Each member shall be nominated and elected in a nonpartisan manner~~
14 ~~and without any indication on the ballot that he or she is affiliated~~
15 ~~with or endorsed by any political party or organization.~~ Each member of
16 the Legislature shall receive a salary of not to exceed one thousand
17 dollars per month during the term of his or her office. In addition to
18 his or her salary, each member shall receive an amount equal to his or
19 her actual expenses in traveling by the most usual route once to and
20 returning from each regular or special session of the Legislature.
21 Members of the Legislature shall receive no pay nor perquisites other
22 than his or her salary and expenses, and employees of the Legislature
23 shall receive no compensation other than their salary or per diem.

24 Sec. 3. At the general election in November 2024, the following
25 proposed amendment to the Constitution of Nebraska shall be submitted to
26 the electors of the State of Nebraska for approval or rejection:

27 To amend Article III, sections 10 and 11:

28 III-10 Beginning with the year 1975, regular sessions of the
29 Legislature shall be held annually, commencing at 10 a.m. on the first
30 Wednesday after the first Monday in January of each year. The duration of
31 regular sessions held shall not exceed ninety legislative days in odd-

1 numbered years unless extended by a vote of four-fifths of all members
2 elected to the Legislature, and shall not exceed sixty legislative days
3 in even-numbered years unless extended by a vote of four-fifths of all
4 members elected to the Legislature. Bills and resolutions under
5 consideration by the Legislature upon adjournment of a regular session
6 held in an odd-numbered year may be considered at the next regular
7 session, as if there had been no such adjournment. The Lieutenant
8 Governor shall preside, but shall vote only when the Legislature is
9 equally divided. A majority of the members elected to the Legislature
10 shall constitute a quorum; the Legislature shall determine the rules of
11 its proceedings and be the judge of the election, returns, and
12 qualifications of its members, shall choose its own officers and
13 committee chairpersons by a public vote, viva voce, including a Speaker
14 to preside when the Lieutenant Governor shall be absent, incapacitated,
15 or shall act as Governor. No member shall be expelled except by a vote of
16 two-thirds of all members elected to the Legislature, and no member shall
17 be twice expelled for the same offense. The Legislature may punish by
18 imprisonment any person not a member thereof who shall be guilty of
19 disrespect to the Legislature by disorderly or contemptuous behavior in
20 its presence, but no such imprisonment shall extend beyond twenty-four
21 hours at one time, unless the person shall persist in such disorderly or
22 contemptuous behavior.

23 III-11 The Legislature shall keep a journal of its proceedings and
24 publish them, except such parts as may require secrecy, and the yeas and
25 nays of the members on any question shall at the desire of any one of
26 them be entered on the journal. All votes shall be viva voce. The doors
27 of the Legislature and of the committees of the Legislature shall be
28 open, ~~except when the business shall be such as ought to be kept secret.~~
29 The yeas and nays of each member of any committee of the Legislature
30 shall be recorded and published on any question in committee to advance
31 or to indefinitely postpone any bill.

1 Sec. 4. The proposed amendments shall be submitted to the electors
2 in the manner prescribed by the Constitution of Nebraska, Article XVI,
3 section 1, with the following ballot language:

4 A constitutional amendment to change the Legislature from a
5 unicameral body to a bicameral body with a House of Representatives and a
6 Senate.

7 For

8 Against.

9 A constitutional amendment to change elections for members of the
10 Legislature from a nonpartisan ballot to a partisan ballot.

11 For

12 Against.

13 A constitutional amendment to require election of legislative
14 officers and committee chairpersons by public vote of the members of the
15 Legislature and to require all meetings of the Legislature to be open to
16 the public.

17 For

18 Against.