

LEGISLATIVE BILL 126

Approved by the Governor April 5, 1971

Introduced by Ramey C. Whitney, 44th District; William H. Hasebroock, 18th District

AN ACT for submission to the electors of an amendment to Article III, sections 8, 17, and 27, of the Constitution of Nebraska, relating to the Legislature; to provide qualifications of members of the Legislature; to correct provisions; to provide for the submission of the proposed amendment to the electors at the general election in November, 1972; to provide for the manner of submission and form of ballot; and to provide the effective date thereof.

Be it enacted by the people of the State of Nebraska,

Section 1. That at the general election in November, 1972, there shall be submitted to the electors of the State of Nebraska for approval the following amendment to Article III, sections 8, 17, and 27, of the Constitution of Nebraska, which is hereby proposed by the Legislature:

"Sec. 8. No person shall be eligible to the office of Senator, ~~or member of the House of Representatives, who shall not be an elector~~ member of the Legislature unless on the date of the general election at which he is elected or on the date of his appointment he is a registered voter, has attained the age of twenty-one years and has resided within the district from which he is elected for the term of one year next before his election, unless he shall have been absent on the public business of the United States or of this State. And no person elected as aforesaid shall hold his office after he shall have removed from such district.

Sec. 17. The ~~Senate and House of Representatives in joint convention~~ Legislature shall have the sole power of impeachment, but a majority of the members elected must concur therein. Upon the entertainment adoption of a resolution to ~~impeach by either house the other house shall at once be notified thereof and the two houses shall meet in joint convention for the purpose of acting upon such resolution within three days of such notification.~~ of impeachment a notice of an impeachment of any officer, other than a justice Judge of the Supreme

Court, shall be forthwith served upon the Chief Justice, by the ~~Secretary-of-the-Senate~~ Clerk of the Legislature, who shall thereupon call a session of the Supreme Court to meet at the Capitol within ten days after such notice to try the impeachment. A notice of an impeachment of a the Chief Justice or any Judge of the Supreme Court shall be served by the ~~Secretary-of-the-Senate~~ Clerk of the Legislature, upon the any Judge of the judicial district within which the Capitol is located, and he thereupon shall notify all the Judges of the District Court in the State to meet with him within thirty days at the Capitol, to sit as a Court to try such impeachment, which Court shall organize by electing one of its number to preside. No person shall be convicted without the concurrence of two-thirds of the members of the Court of impeachment, but judgment in cases of impeachment shall not extend further than removal from office and disqualification to hold and enjoy any office of honor, profit, or trust, in this State, but the party impeached, whether convicted or acquitted shall nevertheless be liable to prosecution and punishment according to law. No officer shall exercise his official duties after he shall have been impeached and notified thereof, until he shall have been acquitted.

Sec. 27. No act shall take effect until three calendar months after the adjournment of the session at which it passed, unless in case of emergency, to be expressed in the preamble or body of the act, the Legislature shall, by a vote of two-thirds of all the members elected ~~to each--house~~ otherwise direct. All laws shall be published in book form within sixty days after the adjournment of each session and distributed among the several counties in such manner as the ~~legislature~~ Legislature may provide."

Sec. 2. 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 providing for the qualifications of members of the Legislature and correcting provisions of the Constitution.

For

Against"

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