

ONE HUNDRED SECOND LEGISLATURE

SECOND SESSION

LEGISLATIVE RESOLUTION 377CA

PROPOSED CONSTITUTIONAL AMENDMENT

Introduced by Avery, 28.

Read first time January 18, 2012

Committee: Executive Board

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

3 Section 1. At the general election in November 2012 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 III, sections 7 and 19:

8 III-7 (1) At the general election to be held in November
9 1964, one-half the members of the Legislature, or as nearly thereto
10 as may be practicable, shall be elected for a term of four years and
11 the remainder for a term of two years, and thereafter all members
12 shall be elected for a term of four years, with the manner of such
13 election to be determined by the Legislature.

14 (2) When the Legislature is redistricted, the members
15 elected prior to the redistricting shall continue in office, and the
16 law providing for such redistricting shall where necessary specify
17 the newly established district which they shall represent for the
18 balance of their term.

1 (3) Each member shall be nominated and elected in a
2 nonpartisan manner and without any indication on the ballot that he
3 or she is affiliated with or endorsed by any political party or
4 organization.

5 (4) This subsection terminates on the first Wednesday
6 after the first Monday in January 2015. Each member of the
7 Legislature shall receive a salary of not to exceed one thousand
8 dollars per month during the term of his or her office. In addition
9 to his or her salary, each member shall receive an amount equal to
10 his or her actual expenses in traveling by the most usual route once
11 to and returning from each regular or special session of the
12 Legislature. Members of the Legislature shall receive no pay nor
13 perquisites other than his or her salary and expenses, and employees
14 of the Legislature shall receive no compensation other than their
15 salary or per diem.

16 III-19 (1) The Legislature shall never grant any extra
17 compensation to any public officer, agent, or servant after the
18 services have been rendered nor to any contractor after the contract
19 has been entered into, except that retirement benefits of retired
20 public officers and employees may be adjusted to reflect changes in
21 the cost of living and wage levels that have occurred subsequent to
22 the date of retirement.

23 (2) The compensation of any public officer, including any
24 officer whose compensation is fixed by the Legislature, shall not be
25 increased or diminished during his or her term of office, except that

1 when there are members elected or appointed to the Legislature or the
2 judiciary, or officers elected or appointed to a board or commission
3 having more than one member, and the terms of such members commence
4 and end at different times, the compensation of all members of the
5 Legislature, of the judiciary, or of such board or commission may be
6 increased or diminished at the beginning of the full term of any
7 member thereof.

8 (3) Nothing in this section shall prevent local governing
9 bodies from reviewing and adjusting vested pension benefits
10 periodically as prescribed by ordinance.

11 (4) The surviving spouse of any retired public officer,
12 agent, or servant, who has retired under a pension plan or system,
13 shall be considered as having pensionable status and shall be
14 entitled to the same benefits which may, at any time, be provided for
15 or available to spouses of other public officers, agents, or servants
16 who have retired under such pension plan or system at a later date,
17 and such benefits shall not be prohibited by the restrictions of this
18 section or of Article XIII, section 3 of the Constitution of
19 Nebraska.

20 (5) For purposes of establishing salary, travel expense,
21 and benefit provisions for state constitutional officers named in
22 Article IV, section 1, of this Constitution and for members of the
23 Legislature, the Legislature shall establish a compensation
24 commission composed of members selected by the Legislature. The
25 commission shall establish the salary, travel expense, and benefit

1 provisions, and the Legislature shall appropriate funds for such
2 purposes.

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

6 A constitutional amendment to terminate constitutional
7 provisions regarding compensation of members and employees of the
8 Legislature and to provide for a compensation commission for state
9 constitutional officers and members of the Legislature.

10 For

11 Against.