

AMENDMENTS TO LB975

(Amendments to Standing Committee amendments, AM2667)

Introduced by Chambers, 11.

1 1. Strike the original sections and all amendments thereto and
2 insert the following new sections:

3 THE MEMBERS OF THE ONE HUNDRED FOURTH LEGISLATURE OF NEBRASKA,
4 SECOND SESSION, RESOLVE THAT:

5 Section 1. At the general election in November 2016 the following
6 proposed amendment to the Constitution of Nebraska shall be submitted to
7 the electors of the State of Nebraska for approval or rejection:

8 To add a new section 31 to Article I:

9 I-31 (1) America is a Christian Nation.

10 (2) It being true that Christianity is synonymous with intolerance
11 and discrimination based on sincerely held religious beliefs and that
12 freedom of religion is guaranteed by the First Amendment to the
13 Constitution of the United States, the Legislature shall enact no law
14 that in any manner impedes or prohibits any person, group, or
15 organization from discriminating in any form, fashion, or manner
16 whatsoever against any person, group, or organization when such
17 discrimination is based on sincerely held religious beliefs. The
18 assertion of such beliefs, standing alone, is sufficient to satisfy the
19 requirements of this section and may not be challenged in any judicial or
20 other proceedings of any kind whatsoever. This guarantee is absolute.

21 (3) Any purported law enacted by the Legislature in contravention of
22 subsection (2) of this section is void ab initio. Any person in any
23 manner aggrieved as a result of any such void enactment shall be entitled
24 to lawyer fees and octuple damages.

25 (4) Any member of the Legislature who votes to enact such a void
26 proposal shall be amenable to impeachment.

1 (5) Appropriate articles of impeachment shall be drafted by twelve
2 judges of the district court selected at random by the Chief Justice of
3 the Supreme Court and shall be tried by the Supreme Court in the manner
4 set forth in this Constitution for impeachment of all civil officers.

5 (6) If a majority of the members of the Legislature shall be
6 impeached, convicted, and removed from office, the Legislature if in
7 session shall be immediately adjourned sine die and shall remain out of
8 session until after the Secretary of State shall provide for the election
9 of new members in districts represented by members who have been removed
10 from office. Such election shall be held on the first Tuesday following
11 the ninetieth day from the date of removal of the last affected member.
12 No primary election shall be held but only a general election shall be
13 held, at which the person receiving the highest number of votes in each
14 district shall be declared the winner by the Secretary of State who shall
15 certify the election results and notify each person who was elected.

16 (7) The Secretary of State shall notify the remaining members of the
17 Legislature who were not removed and the newly elected members of the
18 date when the Legislature shall convene for the purpose of organizing
19 itself in the manner of prior Legislatures and proceeding to function as
20 the duly constituted Legislature of the state as set forth in this
21 Constitution.

22 (8) The date of the convening of the Legislature shall be the first
23 Tuesday after the thirtieth day following the notification of the members
24 by the Secretary of State as required by subsection (7) of this section.

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

28 A constitutional amendment to guarantee the right to discriminate on
29 the basis of sincerely held religious beliefs, provide for impeachment of
30 members of the Legislature who vote to enact a proposal violating such
31 right, and provide procedures for replacing impeached members in certain

- 1 cases.
- 2 For
- 3 Against.