

ONE HUNDRED FOURTH LEGISLATURE

SECOND SESSION

**LEGISLATIVE RESOLUTION 399CA**

PROPOSED CONSTITUTIONAL AMENDMENT

Introduced by Davis, 43; Groene, 42.

Read first time January 11, 2016

Committee: Urban Affairs

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

3 Section 1. At the general election in November 2016 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 VIII, section 12:

7 VIII-12 For the purpose of rehabilitating, acquiring, or  
8 redeveloping substandard and blighted property in a redevelopment project  
9 as determined by law, any city or village of the state may,  
10 notwithstanding any other provision in the Constitution, and without  
11 regard to charter limitations and restrictions, incur indebtedness,  
12 whether by bond, loans, notes, advance of money, or otherwise.  
13 Notwithstanding any other provision in the Constitution or a local  
14 charter, such cities or villages may also pledge for and apply to the  
15 payment of the principal, interest, and any premium on such indebtedness  
16 all taxes levied by all taxing bodies, which taxes shall be at such rate  
17 for a period not to exceed fifteen years, on the assessed valuation of  
18 the property in the project area portion of a designated blighted and  
19 substandard area that is in excess of the assessed valuation of such  
20 property for the year prior to such rehabilitation, acquisition, or  
21 redevelopment.

22 When such indebtedness and the interest thereon have been paid in  
23 full, such property thereafter shall be taxed as is other property in the

1    respective taxing jurisdictions and such taxes applied as all other taxes  
2    of the respective taxing bodies.

3           Before exercising the power to pledge taxes as described in this  
4    section, a city or village shall submit, at any primary, general, or  
5    special election, the question of pledging such taxes to the registered  
6    voters of the city or village and each school district and county whose  
7    taxes would be pledged. The question submitted to the voters shall  
8    include a total dollar amount of taxes that the city or village may  
9    pledge and a timeframe during which the city or village is empowered to  
10   pledge such total dollar amount of taxes. If a majority of the votes cast  
11   on such question are in favor of authorizing the city or village to  
12   pledge such taxes, the city or village may do so. If a majority of the  
13   votes cast on such question are opposed to authorizing the city or  
14   village to pledge such taxes, the city or village may not do so. Any  
15   pledge of taxes occurring prior to January 1, 2017, shall not be subject  
16   to the election requirements of this section.

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

20           A constitutional amendment to require cities and villages to obtain  
21    voter approval before pledging taxes for the payment of indebtedness  
22    related to redevelopment projects.

23           For

24           Against.