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EC76-868 1976 Proposed Constitutional Amendments

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1976 PROPOSED CONSTITUTIONAL AMENDMENTS

by

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In the general election on November 2, Nebraskans will vote on eight amendments to the State Constitution. The explanations of the proposed amendments in this publication are provided to help voters understand the issues involved as a basis for deciding how to vote.

To make an informed decision on each of the propositions, the voter should study each issue carefully before election day. The voter may wish to mark a sample ballot in advance and take it to the polling place. A form for this purpose is also provided at the end of this circular.

The proposed amendments are presented in the form and order in which they will appear on the ballot. The exact constitutional wording is also given but this will not appear on the ballot. The information was obtained largely from A Summary of Constitutional Amendments prepared by the Nebraska Legislative Council, August, 1976.

Proposition No. 1

FINAL READING OF LEGISLATIVE BILLS

A vote FOR this proposal will remove the constitutional requirement that all bills be read in full before the vote on final passage is taken, thereby allowing the Legislature by rule to determine the final reading process.

A vote AGAINST this proposal will retain the present constitutional requirement that all bills be read in full before the vote on final passage is taken.

For

Against Constitutional amendment to eliminate the requirement that every bill be read at large before the vote is taken on final passage.

Explanation

This proposed amendment to Section 14 of Article III of the Constitution would eliminate the requirement that all bills and resolutions be read in full by the Clerk of the Legislature before the vote on final passage. The portion of Section 14 involved in this change now reads (underscoring added):

Extension work in "Agriculture, Home Economics and Subjects relating thereto,"
The Cooperative Extension Service, Institute of Agriculture and Natural
Resources, University of Nebraska-Lincoln, Cooperating with the
Counties and the U.S. Department of Agriculture
Leo E. Lucas, Director

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EC 76 - 838

"Every bill and resolution shall be read by title when introduced, and a printed copy thereof provided for the use of each member, and the bill and all amendments thereto shall be printed and read at large before the vote is taken upon its final passage. No such vote upon the final passage of any bill shall be taken, however, until five legislative days after its introduction nor until it has been on file for final reading and passage for at least one legislative day-----."

If this proposition is approved, the underscored words would be deleted; no other change would be made. This paragraph would then read:

"Every bill and resolution shall be read by title when introduced, and a printed copy thereof provided for the use of each member, and the bill and all amendments thereto shall be printed before the vote is taken upon its final passage. No such vote upon the final passage of any bill shall be taken, however, until five legislative days after its introduction nor until it has been on file for final passage for at least one legislative day...."

At present, every bill must be read in its entirety. Adoption of this amendment would give the Legislature more flexibility in determining the rules for the final stage of the bill-passing process. The Legislature could decide which, if any, bills are to be read in full and under what conditions.

Three reasons are usually given for voting for Proposition No. 1. This provision of the Constitution is now obsolete although it served a useful purpose years ago when bills were not printed and some Legislators could not read. Now that the number of legislative days is limited by law, the time saved by not reading every bill in full could be better used on other business. Final reading has little value in finding and correcting errors; other methods are more effective.

Arguments cited for voting against are: final reading provides an opportunity for Senators who have not read all bills to gain some understanding before voting; and some errors have been found and corrected by this process.

Proposition No. 2

OVERRIDING GOVERNOR'S LINE-ITEM VETO OR REDUCTION

A vote FOR this proposal will authorize the Legislature, when considering whether to override the Governor's veto of a specific item or items in an appropriations bill or the Governor's reduction in the amount of an item or items in an appropriations bill, to vote individually on each such item or items vetoed or reduced in amount by the Governor rather than on the appropriations bill as a whole.

A vote AGAINST this proposal will retain the present requirement that the Legislature, when considering whether to override the Governor's veto of a specific item or items or his reduction in the amount of an item or items in an appropriations bill, vote on the bill as a whole rather than on just the specific item or items vetoed or reduced in amount by the Governor.

For

Against

Constitutional amendment to authorize the Legislature to line item override the Governor's line item veto of appropriations bills, and to allow the Legislature to consider appropriation items individually for purposes of approving or overriding the Governor's veto.

Explanation

This proposed amendment to Section 15 of Article IV of the Constitution would implement the recommendation of the Constitutional Revision Commission (1970) regarding the Legislature's powers to override the Governor's reductions in or vetoes of items in appropriation bills. The present wording of Section 15 has been interpreted to require the Legislature to reconsider the bill as a whole rather than acting only on those items reduced or vetoed by the Governor.

The relevant portions of Section 15 now read:

"Every bill passed by the Legislature, before it becomes a law, shall be presented to the Governor. If he approves he shall sign it, and thereupon it shall become a law, but if he does not approve or reduces any item or items of appropriations, he shall return it with his objections to the Legislature, which shall . . . proceed to reconsider the bill. If then three-fifths of the members elected agree to pass out the same it shall become a law, notwithstanding the objections of the Governor . . . The Governor may disapprove or reduce any item or items of appropriation contained in bills passed by the Legislature, and the item or items so disapproved shall be stricken therefrom, and the items reduced shall remain as reduced unless repassed in the manner herein prescribed in cases of disapproval of bills."

If voters approve the proposed amendment, these changes would be made (deletions crossed out; additions underlined):

"Every bill passed by the Legislature, before it becomes a law, shall be presented to the Governor. If he approves he shall sign it, and thereupon it shall become a law, but if he does not approve or reduces any item or items of appropriations, he shall return it with his objections to the Legislature, which shall . . . proceed to reconsider the bill with the objections as a whole, or proceed to reconsider individually the item or items disapproved or reduced. If then three-fifths of the members elected agree to pass the same bill with objections it shall become a law, notwithstanding the objections of the Governor or if three-fifths of the members elected agree to repass any item or items disapproved or reduced, the bill with such repassage shall become a law . . . The Governor may disapprove or reduce any item or items of appropriation contained in bills passed by the Legislature, and the item or items so disapproved shall be stricken therefrom, and the items reduced shall remain as reduced unless repassed in the manner herein prescribed in cases of disapproval of bills the Legislature has reconsidered the item or items disapproved or reduced and has repassed any such item or items over the objection of the Governor by a three-fifths approval of the members elected."

The Governor's power to veto or reduce individual items in appropriation bills would be retained. The Legislature would be allowed to reconsider individually those items vetoed or reduced by the Governor. It might override some of these actions and sustain others. The Legislature would have the same flexibility in considering the Governor's actions as the Governor has in making "line-item" vetoes or reductions.

The bill (LB 17) proposing this amendment passed the 1975 Legislature without any opposing votes.

Proposition No. 3CHANGE IN STARTING DATE FOR
REGULAR LEGISLATIVE SESSIONS

A vote FOR this proposal will, beginning in 1976, change the date when the Legislature convenes in regular session from the first Wednesday after the first Monday in January of each year to the second Monday in December of each year, with the 90-day session becoming that which would convene in December of even-numbered years and the 60-day session that which would convene in December of odd-numbered years; and will provide that the terms of the members shall commence on the proposed new December convening date rather than the present January convening date.

A vote AGAINST this proposal will retain the present date when the Legislature convenes in regular session which is the first Wednesday after the first Monday in January of each year, with the 90-day session remaining that which convenes in the odd-numbered years and the 60-day session remaining that which convenes in the even-numbered years; and the terms of the members would continue to commence on this January convening date.

For

Against

Constitutional amendment to change the date when the Legislature meets in regular session and when the terms of members shall commence.

Explanation

This proposal would amend Section 10 of Article III of the Constitution. The only change would be to set the second Monday in December as the date when the Legislature will convene in regular session and on which Senator's terms begin. The Constitution now provides that regular sessions shall begin on the first Wednesday after the first Monday in January:

"Beginning with the year 1975, regular sessions of the Legislature shall be held annually, commencing at 10 a.m. on the first Wednesday after the first Monday in January of each year. The duration of regular sessions held shall not exceed ninety legislative days in odd-numbered years unless extended by a vote of four-fifths of all members elected to the Legislature, and shall not exceed sixty legislative days in even-numbered years unless extended by a vote of four-fifths of all members elected to the Legislature. Bills and resolutions under consideration by the Legislature upon adjournment of a regular session held in an odd-numbered year may be considered at the next regular session, as if there had been no such adjournment"

If approved by the voters on November 2, this section would be changed to read:

"Beginning with the year ~~1975~~ 1976, regular sessions of the Legislature shall be held annually, commencing at 10 a.m. on the ~~first Wednesday after the first~~ second Monday in January ~~December~~ December of each year and the terms of

members shall commence on such date. The duration of regular sessions held shall not exceed ninety legislative days in odd-numbered sessions commencing in even-numbered years unless extended by a vote of four-fifths of all members elected to the Legislature, and shall not exceed sixty legislative days in even-numbered sessions commencing in odd-numbered years unless extended by a vote of four-fifths of all members elected to the Legislature. Bills and resolutions under consideration by the Legislature upon adjournment of a regular session held in an odd-numbered commencing in an even-numbered year may be considered at the next regular session, as if there had been no such adjournment"

The regular session would continue to be limited to 60 and 90 days. The 90-day sessions would commence in December of even numbered years; thus the 1977 session would meet on December 13, 1976. The 60-day sessions would convene in December of odd-numbered years. According to proponents of the earlier starting date, the Legislature would probably meet for only two or three days in December, then recess to a selected date in January to complete the regular session.

During the short December meeting, the Legislature would install new members, adopt rules, elect chairmen of committees, introduce some bills and set dates for public hearings. The Legislature would then be ready to proceed with hearings as soon as it reconvenes in January.

The main argument given in favor of this change is that time would be saved and legislative productivity increased because printing of bills and other preparations for hearings, and preliminary committee work could proceed between the December and January meetings. Another possible advantage would be earlier adjournment each spring.

A possible disadvantage for some Senators is that another trip to the state capital would be involved. Senators receive actual expenses for only round trip to Lincoln for any regular or special session.

Proposition No. 4

CHANGE DUTIES OF LIEUTENANT GOVERNOR AND SPEAKER OF LEGISLATURE

A vote FOR this proposal will remove the Lieutenant Governor as the presiding officer of the Legislature; will delete the requirement that the Speaker preside in the absence of the Lieutenant Governor; and will authorize the Legislature to determine who its presiding officer shall be.

A vote AGAINST this proposal will retain the Lieutenant Governor as the presiding officer of the Legislature, and will retain the provision designating the Speaker as the presiding officer in the absence of the Lieutenant Governor.

For

Against Constitutional amendment to remove the Lieutenant Governor as presiding officer of the Legislature.

Explanation

This proposal would change portions of Sections 10 and 14 of Article III concerning duties of the Lieutenant Governor and Speaker in presiding over the Legislature and signing bills and resolutions passed. The crossed-out portions of Section 10 would be deleted:

~~" . . . The Lieutenant Governor shall preside, but shall vote only when the Legislature is equally divided . . . the Legislature . . . shall choose its own officers, including a Speaker, to preside when the Lieutenant Governor shall be absent, incapacitated, or shall act as Governor"~~

In Section 14, the underlined words would be added and crossed-out segment deleted:

~~" . . . The Lieutenant Governor, or the Speaker if acting as presiding officer, presiding officer provided for by the Legislature shall sign, in the presence of the Legislature while the same is in session and capable of transacting business, all bills and resolutions passed by the Legislature."~~

This will be the third attempt since 1970 to complete the reorganization plan for the executive office of Lieutenant Governor. Amendments approved in 1970 provided for election of the Governor and Lieutenant Governor as a team and that the latter become a full-time executive officer.

If Proposition 4 is approved, the Lieutenant Governor would no longer preside over the Legislature but would serve on boards and commissions and perform other duties as designated by the Governor. The presiding officer of the Legislature, which might or might not be the speaker, would sign bills and resolutions passed.

Proponents argue that it is a violation of the doctrine of separation of powers for a full-time executive officer to preside over the Legislature. Another argument for the change is that it would provide more flexibility to the Legislature in selecting its presiding officers.

Proposition No. 5

FUNDING REDEVELOPMENT PROJECTS
BY TAX INCREMENTS

A vote FOR this proposal will give the Legislature the power to enact legislation authorizing any city, county, or other political subdivision to issue bonds for the purpose of acquiring and redeveloping blighted properties in designated areas, which indebtedness would be paid off through taxes levied on the difference between the former value of the affected properties and their increased values resulting from their improvement and redevelopment.

A vote AGAINST this proposal would not allow the Legislature to enact legislation giving cities, counties, or other political subdivisions this additional method of funding the redevelopment and improvement of blighted properties.

For

Against

Constitutional amendment to provide that the Legislature may authorize a political subdivision to issue bonds for the funding of redevelopment projects, which bonds shall be paid by property taxes on new valuations in such projects.

Explanation

This proposition would amend Article VIII of the Constitution by adding this section:

"Notwithstanding any other provision in the Constitution, the Legislature by general law may authorize any city, village, municipality, county or other political subdivision or other public corporation of the state, under such terms and conditions as the Legislature may determine and without regard to charter limitations and restrictions, to incur indebtedness, whether by bonds, loans, notes, advance of money or otherwise, for the purpose of acquiring and redeveloping substandard or blighted property in a redevelopment project area as determined by law, and to pledge for and apply to the payment of the principal, interest, and any premium on such indebtedness all or such portion as the Legislature may determine of all taxes levied by all taxing bodies, which taxes shall be at such rate or rates as the Legislature may authorize, on the assessed valuation of the property in the project area that is in excess of the assessed valuation of such property for the year prior to such acquisition and redevelopment.

When such indebtedness and the interest thereon has been paid in full then such property thereafter shall be taxed as is other property in the respective taxing jurisdiction and such taxes applied as all other taxes of the respective taxing body."

Proposition No. 5, if adopted, would be a permissive amendment. It would authorize the Legislature to permit counties, cities and other local government units to finance redevelopment projects by tax increments. Through enabling legislation the conditions and terms would be established for using this method to improve "blighted areas".

The main concept involved is that indebtedness incurred to carry out such projects would be self-liquidating. Local governments could issue bonds to buy property, remove or renovate sub-standard buildings and improve public services in the project area. After improvement, the property would be resold to private owners or leased. The bonds would be repaid from increased revenue above the property tax revenue before redevelopment. This additional revenue would come from higher assessed valuation of resold improved property or rental of publicly-owned property. Supposedly, no additional taxes would be paid by taxpayers living outside the redevelopment district. The predevelopment amount of property taxes would go toward general government costs.

Advocates of the increment financing argue that this amendment merely provides local government with another method of financing projects already permitted under the Community Development Act of 1951. They also point out that needed improvement projects could be initiated more readily instead of being delayed or blocked by citizens outside the project area because of concerns over possibly higher taxes to repay the debt. Other reasons given for voting in favor of Proposition No. 5 are that: the property base would expand instead of shrinking with further deterioration of blighted areas; costs of police and fire protection and welfare programs would be reduced; and the whole community would benefit from being a more attractive place to live and work.

Opponents agree that tax increment financing is fine if it works as well in practice as in theory. But, they ask, what happens if revenue does not increase as projected? Will the tax base of the entire governmental unit ultimately be

pledged to retiring bonds issued for redevelopment projects? How will property taxes lost by temporary public acquisition be replaced? Is there sufficient demand for improved property so that it can be resold or leased? If not, will the property be operated as a public investment with costs paid by all taxpayers of the city, county or other unit of government?

Proposition No. 6: Part 1

CONTRACTING WITH NON-PUBLIC INSTITUTIONS
FOR SPECIAL EDUCATION PROGRAMS FOR
HANDICAPPED CHILDREN

A vote FOR this proposal will enable the Legislature to enact legislation providing that the state or any political subdivision may contract with non-public institutions for the provision of educational or other services to handicapped children as long as the services are non-sectarian in nature.

A vote AGAINST this proposal will continue the present situation whereby neither the state nor any political subdivision may contract with non-public institutions for the provision of educational or other services to handicapped children even though non-sectarian in nature.

For

Against

Constitutional amendment to permit contracting with institutions not wholly owned or controlled by the state or any political subdivision for non-sectarian services for handicapped children.

Explanation

The 1976 Legislature proposed two amendments to Section 11, Article VII when it passed LB 666. These will appear on the ballot as Parts 1 and 2 of Proposition No. 6. Part 1 would make some changes in Section 11 as it is now, Part 2 would add a new Section 11A. Each part will be voted on separately.

Section 11 now reads:

"Appropriation of public funds shall not be made to any school or institution of learning not owned or exclusively controlled by the state or a political subdivision thereof.

All public schools shall be free of sectarian instruction.

The state shall not accept money or property to be used for sectarian purposes: Provided, that the Legislature may provide that the state may receive money from the federal government and distribute it in accordance with the terms of any such federal grants, but no public funds of the state, any political subdivision, or any public corporation may be added thereto.

A religious test or qualification shall not be required of any teacher or student for admission or continuance in any school or institution supported in whole or in part by public funds or taxation."

If approved, Section 11 would be changed to read (additions underlined, crossed-through portions deleted):

"Notwithstanding any other provision in the Constitution, Appropriation appropriation of public funds shall not be made to any school or institution of learning not owned or exclusively controlled by the state or a political subdivision thereof; Provided, that the Legislature may provide that the state or any political subdivision thereof may contract with institutions not wholly owned or controlled by the state or any political subdivision to provide for educational or other services for the benefit of children under the age of twenty-one years who are handicapped, as that term is from time to time defined by the Legislature, if such services are non-sectarian in nature.

All public schools shall be free of sectarian instruction.

The state shall not accept money or property to be used for sectarian purposes; Provided, that the legislature may provide that the state may receive money from the federal government and distribute it in accordance with the terms of any such federal grants, but no public funds of the state, any political subdivision, or any public corporation may be added thereto.

A religious test or qualification shall not be required of any teacher or student for admission or continuance in any school or institution supported in whole or in part by public funds or taxation."

The rationale for this amendment goes back to LB 403 enacted by the 1973 Legislature. This act required school districts to provide special education programs for all handicapped children either by a single district, jointly with other districts, through educational service units or offices of mental retardation, or by some combination of these. The districts would be reimbursed by the state for ninety percent of the excess costs incurred for such programs. Handicapped children are defined as those who are physically handicapped, mentally retarded or emotionally disturbed, who have specific learning disabilities, and others defined by the State Department of Education.

The '73 Legislature realized that such children should have access to programs and facilities of private schools, institutions and organization as well as those of public schools and other institutions if the intent of LB 403 was to be accomplished. An amendment (LB 863) to LB 403 was adopted in 1973 as an effort to make sure that contracting for special education programs with private institutions was permissible. Attorney General's opinions held that, despite LB 403 and LB 863, the above section of the Constitution authorized school districts to contract only with public institutions in the state.

The proposed amendment would authorize the Legislature to permit school districts to contract with private institutions for special educational or other services to help handicapped children. It further specifies that such services must be non-sectarian in nature. This means that no religious instruction could be given to participating children. The state would continue to reimburse school districts for 90 percent of excess costs; the districts would pay the private institutions.

Proponents of this change argue that it would make special services available to more handicapped children because some public school districts lack sufficient funds or trained personnel for such programs. They point out further that: private institutions would have to meet the same standards as public agencies; private institutions may accept certain multiply-handicapped children whom public schools would not take; and program costs would be lower because facilities and staff would not have to be duplicated in the same area.

Those opposed argue that adoption of Part 1 of Proposition No. 6 would represent a departure from the long-accepted principle of separation of church and state. They contend there is no such thing as non-sectarian education. They express concern that, if public support is approved for special services for the handicapped, similar treatment would subsequently be proposed for such programs as music and art, or possibly all of secondary education. Opponents also cite the legal obligation of school districts under LB 403 (1973) and argue that small school districts can use educational service units or other cooperative arrangements to provide services on a multi-county basis. They are concerned about possible broadening of the definition of "handicapped" to shift more educational costs to the state.

Proposition No. 6: Part 2

FINANCIAL AID TO STUDENTS FOR POST-SECONDARY
EDUCATION IN NON-PUBLIC INSTITUTIONS

A vote FOR this proposal will authorize the Legislature to provide loans or grants to students attending non-public post high school educational institutions as long as such financial aid is expressly limited to nonsectarian purposes; and will require that any public funds used to match federal grants to be used to provide services to students in non-public schools must not be used for sectarian purposes.

A vote AGAINST this proposal will prevent the Legislature from providing loans or grants to students attending non-public post high school educational institutions; and will continue the present provision prohibiting the use of any public funds to match federal grants to be used to provide services to students in non-public schools even if nonsectarian in nature.

For

Against

Constitutional amendment to permit financial aid for nonsectarian purposes to students attending postsecondary educational institutions not wholly owned or controlled by the state or a political subdivision thereof; and to prohibit the expenditure of public funds, added to funds received from the federal government, for sectarian purposes.

Explanation

A new section (11A) would be added to Article VII if the proposal is approved. It would authorize the Legislature to provide loans or grants to students attending private colleges, universities or other institutions offering post-secondary education or training. It would also limit such assistance specifically "to non-sectarian purposes". Section 11A would read:

"Notwithstanding any other provision in the Constitution, the Legislature may provide financial aid in the form of loans or grants to students attending post-secondary educational institutions not wholly owned or controlled by the state or a political subdivision thereof is such aid is expressly limited to non-sectarian purposes. The Legislature may provide that the state may receive money from the federal government and distribute it in accordance with the terms of any such federal grants, but any public funds of

the state, any political subdivision, or any public corporation added thereto shall not be used for sectarian purposes."

A bill enacted in 1972 (LB 1171) provided tuition grants to students attending non-public colleges and universities but was declared unconstitutional in 1974 as a violation of Section 11 of Article VII. This proposal would overcome that obstacle.

The second sentence would be transferred from present Section 11. It permits the state to receive certain federal grant funds, some of which had to be used for students in private schools. But the new Section 11A would remove the prohibition against adding state or local public funds to these federal grant monies.

Those favoring this proposal argue that this would be financial aid to students, not to private schools, and that students should have more freedom of choice among educational institutions. They point out that some competition with public institutions is desirable "to keep them on their toes." Another favorable argument cited is that forty other states match federal funds for grants to students at public and private post-high school institutions.

Opponents argue that such aid to students would be an indirect form of public financial assistance to private schools competing with funds for public institutions. They question the feasibility of determining whether such aid, if authorized, could actually be "limited to nonsectarian purposes." They argue further that such financial aid would weaken public colleges and universities, and that Nebraska's tax-supported University system, four state colleges and six technical community colleges provide ample educational opportunities for the state's young people.

Proposition No. 7

REVENUE BONDS TO DEVELOP PROPERTY FOR COMMERCIAL OR BUSINESS ENTERPRISES

A vote FOR this proposal will enable the Legislature to broaden the Industrial Development Act, under which cities and counties may issue revenue bonds to acquire and develop real and personal property for lease to manufacturing or industrial enterprises, by enabling the cities and counties to do the same for non-manufacturing commercial or business enterprises not engaged primarily in direct sales to the general public.

A vote AGAINST this proposal will retain the present provision limiting the cities and counties under the Industrial Development Act to acquiring and developing property for lease only to manufacturing or industrial enterprises, thus prohibiting them from doing so for non-manufacturing commercial or business enterprises not engaged primarily in direct sales to the general public.

For

Against

Constitutional amendment to provide that governmental subdivisions may sell or finance real and personal property as prescribed; to provide that governmental subdivisions may issue revenue bonds to acquire and develop property for commercial or business enterprises; and to provide exceptions.

Explanation

Section 2 of Article XIII would be amended by this proposal to broaden the purposes for which counties and cities may issue revenue bonds to develop property use by business and industry. This section is the basis for the Industrial Development Act (IDA) of 1961. The portion of Section 2 to be changed now reads:

"Notwithstanding any other provision in the Constitution, the Legislature may authorize any county, incorporated city or village, including cities operating under home rule charters, to acquire, own, develop, and lease real and personal property suitable for use by manufacturing or industrial enterprises and to issue revenue bonds for the purpose of defraying the cost of acquiring and developing such property by construction, purchase, or otherwise. Such bonds shall not become general obligation bonds of the governmental subdivision by which such bonds are issued"

The above wording limits the development of property by cities and counties for "use by manufacturing or industrial enterprises" The amendment would permit issuance of bonds to develop property for use "by commercial or business enterprises" as well but would exclude use by retail stores. The underlined words would be added:

"Notwithstanding any other provision in the Constitution, the Legislature may authorize any county, incorporated city or village, including cities operating under home rule charters, to acquire, own, develop, and lease, sell, or finance real and personal property suitable for use by manufacturing or industrial enterprises or for use by commercial or business enterprises, except real or personal property to be utilized by such commercial or business enterprises primarily for direct sale to the general public, and to issue revenue bonds for the purpose of defraying the cost of acquiring and developing such property by construction, purchase, or otherwise. Such bonds shall not become general obligation bonds of the governmental subdivision by which such bonds are issued"

Those favoring this change feel that it would facilitate community development programs by permitting property improvement for the purpose of attracting such business as warehouses, office buildings, telecommunications, electronic data processing and laboratories. They point to the success of IDA projects as evidence that revenue bonds are a proven technique for financing. They argue that this amendment would make Nebraska more competitive as a location for a wider range of business enterprises.

Opponents ask what will happen to property taxes if new businesses do not come, or do not stay long. They object to providing subsidies or incentives to persuade businesses to locate in a community. Some people feel that higher public costs associated with certain business and industries may equal or exceed additional revenue.

Proposition No. 8

SALARY OF LEGISLATORS

A vote FOR this proposal will provide that members of the Legislature shall receive a salary of six hundred seventy-five dollars per month.

A vote AGAINST this proposal will retain the present provision in the constitution providing that the salary of members of the Legislature shall not exceed four hundred dollars per month.

For

Constitutional amendment to fix the salary of

Against each member of the Legislature at six hundred seventy-five dollars per month

Explanation

This would amend Section 7 of Article III to raise the salary of members of the Legislature from \$400 per month to \$675 per month. The relevant portion now reads:

" . . . Each member of the Legislature shall receive a salary of not to exceed four hundred dollars per month during the term of his office . . ."

The adoption of this proposed amendment will make the following change:

" . . . Each member of the Legislature shall receive a salary of **not to exceed four hundred dollars per month during the term of his office of six hundred seventy-five dollars per month** . . ."

State Senators now receive a salary of \$400 per month during their four-year terms in office. This salary has not been changed since 1968. In addition to salary, Senators are reimbursed for actual expenses for one round trip to Lincoln for any regular or special session. No other allowances or per diem payments are made to compensate for additional living expenses or loss of income while attending sessions of the Legislature.

Main reasons given for approving an increase in Legislators' salaries from \$400 to \$675 a month are:

1. Inflation has so eroded the buying power of the dollar since 1968 that \$400 today is equivalent to \$274 then; the proposed salary would merely offset the rise in the consumer price index over eight years with no leeway for expected future inflation; Nebraska ranks 38th among the states as to Legislators' pay.
2. State Senators should not suffer personal financial losses because of additional living expenses and neglect of businesses, jobs, or professions during legislative sessions; such economic hardships discourages many qualified persons from seeking office or serving more than

one term if elected. Also conflict-of-interest regulations may create problems in regard to sources of additional income.

3. Higher salaries are justified to compensate Legislators more adequately for greater responsibilities and increased workload associated with state government in a more complex, modern society; most Senators spend considerable additional time on committee work and other legislative business between sessions.

Those who oppose any increase in Legislators' salaries list these arguments:

1. The proposed increase would cost the taxpayers an additional \$161,700 per year.
2. Membership in the Legislature is not a full-time job so Senators must logically supplement their income from private sources; also "psychic income" is realized from public service as a "citizen legislator".
3. Senators will better understand citizens' problems and be more frugal with public funds if they, like their constituents, operate private businesses, hold jobs or engage in professional activities.

The Cooperative Extension Service provides information and educational programs to all people without regard to race, color or national origin.

PROPOSED CONSTITUTIONAL AMENDMENTS

General Election--November 2, 1976

<u>Proposition Number</u>	<u>Title</u>	<u>Vote in Legislature:</u>			<u>Your Vote</u>	
		<u>Yes</u>	<u>No</u>	<u>Abstain</u>	<u>For</u>	<u>Against</u>
1.	Legislature: Final Reading of Bills	30	18	1	—	—
2.	Legislature: Overriding Line- Item Vetoes or Reductions	42	0	7	—	—
3.	Legislature: Change in Start- ing Date	37	6	6	—	—
4.	Lieutenant Governor: Remove as Legislature's Presiding Officer	38	10	1	—	—
5.	Funding Redevelopment Pro- jects	32	16	1	—	—
6.	Part 1: Contracting Services for Handicapped Children	35	8	6	—	—
6.	Part 2: Financial Aid to Students in Non-Public Schools	35	8	6	—	—
7.	Bonds to Develop Property for Commercial or Business Enter- prises	34	11	4	—	—
8.	Legislature: Salary of Members	43	0	6	—	—

Detach this page, mark your vote on each amendment and take it with you for reference when you go into the voting booth.