

LEGISLATIVE BILL 504

Approved by the Governor May 13, 1971

Introduced by Ramey C. Whitney, 44th District; William H. Hasebroock, 18th District; George Syas, 13th District

AN ACT for submission to the electors of an amendment to Article XVII, by amending sections 1, 4, and 5, and repealing sections 2, 3, 7, 8, and 11, of the Constitution of Nebraska, relating to amendments to the Constitution; to recodify and revise Article XVII and omit obsolete matter; to provide for the submission of the proposed amendment to the electors at the primary election in May, 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 primary election in May, 1972, there shall be submitted to the electors of the State of Nebraska for approval the following amendment to Article XVII, by amending sections 1, 4, and 5, and repealing sections 2, 3, 7, 8, and 11, of the Constitution of Nebraska, which is hereby proposed by the Legislature:

"That the following sections are amended:

Sec. 1. ~~The several amendments passed and submitted by this Convention when adopted at the election shall take effect on the first day of January, 1971, except as otherwise specifically provided by schedule attached to any of said amendments. Provided that the proposed Amendment Number 18, relative to equal suffrage shall take effect, if adopted, immediately upon proclamation by the Governor. All laws then in force, not inconsistent with the constitution as amended by such proposals as may be adopted at such election, shall continue in force until amended or repealed. If any of the amendments passed and submitted by this Convention and adopted by the electors be inconsistent with any provisions of the present Constitution, such amendment shall be held to prevail. Whenever they shall appear in this Constitution, the terms members of the Legislature, elected members of the Legislature, or similar terms referring to the members of the Legislature, shall include appointed and elected members of the Legislature.~~

Sec. 4. The general election of this state shall be held on the Tuesday succeeding the first Monday of November in the year 1914 and every two years thereafter. All state, district, county, precinct, and township and other officers, by the constitution or laws made elective by the people, except school district officers, and municipal officers in cities, villages and towns, shall be elected at a general election to be held as aforesaid. ~~Judges--of--the--supreme,--district--and county--courts,--all--elective--county--and--precinct officers,--and--all--other--elective--officers,--the--time--for the--election--of--whom--is--not--herein--otherwise--provided for,--and--which--are--not--included--in--the--above--exception, shall--be--elected--on--the--Tuesday--succeeding--the--first Monday--in--November,--1913,--and--thereafter--at--the--general election--next--preceding--the--time--of--the--termination--of their--respective--term--of--office,--Provided,--that--no office--shall--be--vacated--thereby,--but--the--incumbent thereof--shall--held--over--until--his--successor--is--duly elected--and--qualified.~~ An incumbent of any office shall hold over until his successor is duly elected and qualified.

Sec. 5. ~~The--terms--of--office--of--all--State--and County--officers,--of--judges--of--the--supreme,--district--and county--courts,--and--regents--of--the--University,--shall begin--on--the--first--Thursday--after--the--first--Tuesday--in January--next--succeeding--their--election,--the--present state--and--county--officers,--members--of--the--legislature, and--regents--of--the--University,--shall--continue--in--office until--their--successors--shall--be--elected--and--qualified. Unless--otherwise--provided--by--this--Constitution--or--by--law the--terms--of--all--elected--officers--shall--begin--on--the first--Thursday--after--the--first--Tuesday--in--January--next succeeding--their--election.~~

That sections 2, 3, 7, 8, and 11 are hereby repealed."

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 recodifying and revising Article XVII and omitting obsolete matter.

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.