

ONE HUNDRED SIXTH LEGISLATURE

SECOND SESSION

LEGISLATIVE RESOLUTION 281CA

PROPOSED CONSTITUTIONAL AMENDMENT

Introduced by McCollister, 20.

Read first time January 08, 2020

Committee: Judiciary

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

3 Section 1. At the general election in November 2020, 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 II, section 1:

7 II-1 (1) The powers of the government of this state are divided into
8 three distinct departments, the legislative, executive, and judicial, and
9 no person or collection of persons being one of these departments shall
10 exercise any power properly belonging to either of the others except as
11 expressly directed or permitted in this Constitution.

12 (2) Notwithstanding the provisions of subsection (1) of this
13 section, supervision of individuals sentenced to probation, released on
14 parole, or enrolled in programs or services established within a court
15 may be undertaken by either the judicial or executive department, or
16 jointly, as provided by the Legislature.

17 (3) Notwithstanding the provisions of subsection (1) of this section
18 and Article IV, section 13, of this Constitution, the Legislature may
19 enact legislation authorizing courts to reduce sentences that have become
20 final.

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

1 A constitutional amendment to allow the Legislature to enact
2 legislation authorizing courts to reduce sentences that have become
3 final.

4 For

5 Against.