

ONE HUNDRED EIGHTH LEGISLATURE

SECOND SESSION

LEGISLATIVE RESOLUTION 283CA

PROPOSED CONSTITUTIONAL AMENDMENT

Introduced by Cavanaugh, M., 6.

Read first time January 17, 2024

Committee:

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

3 Section 1. At the general election in November 2024 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 III, sections 7 and 19, and add a new section 31 to
7 Article III:

8 III-7 At the general election to be held in November 1964, one-half
9 the members of the Legislature, or as nearly thereto as may be
10 practicable, shall be elected for a term of four years and the remainder
11 for a term of two years, and thereafter all members shall be elected for
12 a term of four years, with the manner of such election to be determined
13 by the Legislature. When the Legislature is redistricted, the members
14 elected prior to the redistricting shall continue in office, and the law
15 providing for such redistricting shall where necessary specify the newly
16 established district which they shall represent for the balance of their
17 term. Each member shall be nominated and elected in a nonpartisan manner
18 and without any indication on the ballot that he or she is affiliated
19 with or endorsed by any political party or organization. Each member of
20 the Legislature shall receive a salary of not to exceed one thousand
21 dollars per month during the term of his or her office until July 1,
22 2025. In addition to his or her salary, each member shall receive an
23 amount equal to his or her actual expenses in traveling by the most usual

1 route once to and returning from each regular or special session of the
2 Legislature. Members of the Legislature shall receive no pay nor
3 perquisites other than his or her salary and expenses, and employees of
4 the Legislature shall receive no compensation other than their salary or
5 per diem.

6 III-19 The Legislature shall never grant any extra compensation to
7 any public officer, agent, or servant after the services have been
8 rendered nor to any contractor after the contract has been entered into,
9 except that retirement benefits of retired public officers and employees
10 may be adjusted to reflect changes in the cost of living and wage levels
11 that have occurred subsequent to the date of retirement.

12 The compensation of any public officer, including any officer whose
13 compensation is fixed by the Legislature, shall not be increased or
14 diminished during his or her term of office, except that when there are
15 members elected or appointed to ~~the Legislature or~~ the judiciary, or
16 officers elected or appointed to a board or commission having more than
17 one member, and the terms of such members commence and end at different
18 times, the compensation of all members ~~of the Legislature,~~ of the
19 judiciary, or of such board or commission may be increased or diminished
20 at the beginning of the full term of any member thereof.

21 Nothing in this section shall prevent local governing bodies from
22 reviewing and adjusting vested pension benefits periodically as
23 prescribed by ordinance.

24 The surviving spouse of any retired public officer, agent, or
25 servant, who has retired under a pension plan or system, shall be
26 considered as having pensionable status and shall be entitled to the same
27 benefits which may, at any time, be provided for or available to spouses
28 of other public officers, agents, or servants who have retired under such
29 pension plan or system at a later date, and such benefits shall not be
30 prohibited by the restrictions of this section or of Article XIII,
31 section 3 of the Constitution of Nebraska.

1 III-31 (1) The salary of members of the Legislature shall be
2 prescribed by the Legislative Salary Commission.

3 (2) The members of the commission shall be one person from each
4 congressional district appointed by the Chief Justice of the Supreme
5 Court and one member from each congressional district appointed by the
6 Governor. If Nebraska has an odd number of congressional districts, the
7 Governor and the Chief Justice shall each appoint an at-large member in
8 addition to a member from each congressional district.

9 (3) No more than one-half of the members appointed by the Governor
10 may be affiliated with the same political party. No more than one-half of
11 the members appointed by the Chief Justice may be affiliated with the
12 same political party.

13 (4) The following individuals shall be ineligible to be a member of
14 the commission:

15 (a) A current or former member of the Legislature or a spouse of a
16 current or former member of the Legislature;

17 (b) A current or former lobbyist registered under Nebraska law;

18 (c) A current employee of the Legislature;

19 (d) A current or former judge of any court in Nebraska;

20 (e) A current or former Governor, Lieutenant Governor, Attorney
21 General, Secretary of State, Auditor of Public Accounts, or State
22 Treasurer for the State of Nebraska; and

23 (f) A current employee of the State of Nebraska.

24 (5) The Legislature shall provide for the terms of office,
25 compensation, and procedure for removal of the members of the commission.

26 (6) The commission shall prescribe the salary for members of the
27 Legislature by March 31 of each odd-numbered year, taking into account
28 any other legislative compensation provided to members of the Legislature
29 by the State of Nebraska, with any changes in salary to take effect on
30 July 1 of that year.

31 Sec. 2. The proposed amendment shall be submitted to the electors

1 in the manner prescribed by the Constitution of Nebraska, Article XVI,
2 section 1, with the following ballot language:

3 A constitutional amendment to create the Legislative Salary
4 Commission and change provisions relating to legislative salaries.

5 For

6 Against.