

LEGISLATIVE BILL 301

Approved by the Governor March 11, 1971

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

AN ACT for submission to the electors of an amendment to Article IV, sections 7 and 15, of the Constitution of Nebraska, relating to the executive; to provide the Governor shall prepare a budget bill to be introduced by the Speaker of the Legislature; to provide for veto by the Governor and effect thereof; to remove 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 IV, sections 7 and 15, of the Constitution of Nebraska, which is hereby proposed by the Legislature:

"Sec. 7. The Governor may, at the commencement of each session, and at the close of his term of office and whenever the Legislature may require, give by message to the Legislature information of the condition of the state, and shall recommend such measures as he shall deem expedient. Within--thirty--days--after--the commencement-of-each-regular-session At a time fixed by law, he shall present, by message, a complete itemized budget of the financial requirements of all departments, institutions and agencies of the state for--the--ensuing biennium and a budget bill to be introduced by the Speaker of the Legislature at the request of the Governor. Said budget bill shall be prepared with such expert assistance and under such regulations as may be provided--by--law required by the Governor. No appropriations shall be made in excess of the recommendation contained in such budget including any amendment the Governor may make thereto unless by two-thirds three-fifths vote of the Legislature, and such excess so approved shall not be subject to veto by the Governor.

"Sec. 15. Every bill passed by the legislature

Legislature, before it becomes a law, and every order, resolution or vote ~~to--which--the--concurrence--of--both Houses--may--be--necessary~~ (except on questions of adjournment) shall be presented to the Governor. If he approves he shall sign it, and thereupon it shall become a law, but if he do does not approve or reduces any item or items of appropriations, he shall return it with his objections to the ~~house--in--which--it---shall---have originated~~ Legislature, which house shall enter the objections at large upon its journal, and proceed to reconsider the bill. If then three-fifths of the members elected agree to pass the same ~~it shall be sent, together with the objections, to the other house, by which it shall likewise be reconsidered; and if approved by three-fifths of the members elected to that house,~~ it shall become a law, notwithstanding the objections of the governor Governor. In all such cases the vote of ~~each House~~ shall be determined by yeas and nays, to be entered upon the journal. Any bill which shall not be returned by the governor Governor within five days (Sundays excepted) after it shall have been presented to him, shall become a law in like manner as if he had signed it; unless the legislature Legislature by their adjournment prevent its return; in which case it shall be filed, with his objections, in the office of the secretary Secretary of state State within five days after such adjournment, or become a law. The governor Governor may disapprove or reduce any item or items of appropriation contained in bills passed by the legislature 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."

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 directing the Governor to prepare a budget bill to be introduced by the Speaker of the Legislature and changing veto powers of the bill by the Governor and effect thereof; also to eliminate 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.