

Bond Case Briefs

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REFERENDA - NEBRASKA

State ex rel. Collar v. Evnen

Supreme Court of Nebraska - September 13, 2024 - N.W.3d - 317 Neb. 608 - 2024 WL 4178319

Relator filed petition for writ of mandamus directing the Secretary of State to withhold from general election ballot a referendum seeking to repeal act which established a program to provide \$10 million in education scholarships to eligible students to pay costs associated with attending qualified private elementary and secondary schools.

The Supreme Court held that:

- Constitutional exception to the referendum power is narrow and prevents a referendum petition from being invoked only against any act or part of an act by the Legislature making appropriations for the expense of the state government or a state institution existing at the time of the passage of such act, and
- Act did not make an “appropriation” within meaning of constitutional exception to referendum power.