

AMENDMENTS TO LB339

Introduced by La Grone, 49.

1           1. Insert the following new section:

2           Sec. 2. Section 24-806, Reissue Revised Statutes of Nebraska, is  
3 amended to read:

4           24-806 (1) Lawyer members and alternate lawyer members of any  
5 judicial nominating commission shall be members of the bar of the State  
6 of Nebraska and shall reside in the judicial district or area of the  
7 state served by the commission except as provided in subsection (2) of  
8 this section. Not more than two lawyer members of each commission shall  
9 be registered members of the same political party or category, and not  
10 more than two alternate lawyer members shall be registered members of the  
11 same political party or category. The members of the bar who are  
12 registered members of the same political party shall elect the lawyer  
13 members and alternate lawyer members to represent that political party on  
14 a judicial nominating commission. Nominations for lawyer members of each  
15 commission shall be solicited in writing by the Clerk of the Supreme  
16 Court from all the lawyers of the district or area served on or before  
17 September 1 of each even-numbered year. Nominations of lawyer members  
18 shall be made in writing and filed in the office of the Clerk of the  
19 Supreme Court on or before October 1 of each even-numbered year. Each  
20 nomination of a lawyer member shall be accompanied by a written consent  
21 of the nominee to serve as a member of the commission if elected. The  
22 nominations shall be solicited and distributed on the ballot by the Clerk  
23 of the Supreme Court from the legally recognized political parties and in  
24 such a manner as will permit the final selection to be made within the  
25 required political party.

26           (2) If solicited nominations are insufficient to provide candidates  
27 from the permissible political parties for each vacancy, the Executive

1 Council of the Nebraska State Bar Association, within ten days after the  
2 last day for filing nominations, shall nominate additional candidates for  
3 the position so that there shall be a qualified candidate for each  
4 position. Such candidates need not reside in the judicial district or  
5 area served by such judicial nominating commission.

6 (3) The Clerk of the Supreme Court shall mail a ballot with the name  
7 of each nominee to ~~all~~ members of the bar of Nebraska of the applicable  
8 political party residing in the judicial district or area designating a  
9 date at least ten days and not more than fourteen days after the date of  
10 such mailing by the Clerk of the Supreme Court when the ballots will be  
11 opened and counted. The ballots shall be counted by a board consisting of  
12 the Clerk of the Supreme Court, the Secretary of State, and the Attorney  
13 General or by alternates designated by any of them to serve in his or her  
14 place. The Clerk of the Supreme Court shall insure that the election is  
15 so conducted as to maintain the secrecy of the ballot and the validity of  
16 the results. The candidate of the required political party receiving the  
17 highest number of votes shall be considered as having been elected to the  
18 commission. The candidate of the required political party receiving the  
19 next highest number of votes shall be considered as having been elected  
20 an alternate lawyer member of the commission and shall serve as a lawyer  
21 member of the commission in the event of a lawyer member vacancy of the  
22 same political party or category on the commission created either by  
23 resignation or disqualification. In the case of a resignation, an  
24 alternate lawyer member shall continue to serve as a member of the  
25 commission until the term of office of his or her predecessor expires.

26 (4) In any election when more than one lawyer member of a judicial  
27 nominating commission is to be elected, the nominees shall be submitted  
28 without designation of the term. Each voter shall be instructed to vote  
29 for as many nominees as there are vacancies to be filled. The candidate  
30 receiving the highest number of votes shall be considered as having been  
31 elected for the longest term. The candidate receiving the next highest

1 number of votes shall be deemed to have been elected for next to the  
2 longest term, and if an alternate lawyer member or members are to be  
3 elected, the candidate or candidates receiving the third and fourth  
4 highest number of votes shall be deemed elected as the alternate lawyer  
5 member or members. In case of ties the determination shall be made by lot  
6 by the counting board.

7 2. Renumber the remaining section and correct the repealer  
8 accordingly.