

LEGISLATURE OF NEBRASKA  
ONE HUNDRED NINTH LEGISLATURE  
SECOND SESSION

**LEGISLATIVE BILL 934**

Introduced by Cavanaugh, J., 9.

Read first time January 09, 2026

Committee: General Affairs

- 1 A BILL FOR AN ACT relating to the Nebraska Medical Cannabis Commission;
- 2 to amend section 32-813, Reissue Revised Statutes of Nebraska,
- 3 section 32-567, Revised Statutes Cumulative Supplement, 2024, and
- 4 sections 32-101 and 71-24,109, Revised Statutes Supplement, 2025; to
- 5 provide for the election of members of the Nebraska Medical Cannabis
- 6 Commission; to harmonize provisions; and to repeal the original
- 7 sections.
- 8 Be it enacted by the people of the State of Nebraska,

1       **Section 1.** Section 32-101, Revised Statutes Supplement, 2025, is  
2 amended to read:

3       32-101 Sections 32-101 to 32-1552 and section 2 of this act shall be  
4 known and may be cited as the Election Act.

5       **Sec. 2.** The members of the Nebraska Medical Cannabis Commission  
6 from public service commissioner district number one, public service  
7 commissioner district number three, and public service commissioner  
8 district number five shall be elected at the statewide general election  
9 in 2028 and every four years thereafter. The members from public service  
10 commissioner district number two and public service commissioner district  
11 number four shall be elected at the statewide general election in 2028,  
12 the statewide general election in 2030, and each four years thereafter.  
13 Each member shall serve until the member's successor is elected. Each  
14 member shall be elected on the nonpartisan ballot.

15       **Sec. 3.** Section 32-567, Revised Statutes Cumulative Supplement,  
16 2024, is amended to read:

17       32-567 Vacancies in office shall be filled as follows:

18       (1) In state and judicial district offices and in the membership of  
19 any board or commission created by the state when no other method is  
20 provided, by the Governor;

21       (2) In county offices, by the county board;

22       (3) In the membership of the county board, by the county clerk,  
23 county attorney, and county treasurer;

24       (4) In the membership of the city council, according to section  
25 32-568 or 32-569, as applicable;

26       (5) In township offices, by the township board or, if there are two  
27 or more vacancies on the township board, by the county board;

28       (6) In offices in public power and irrigation districts, according  
29 to section 70-615;

30       (7) In offices in natural resources districts, according to section  
31 2-3215;

1 (8) In offices in community college areas, according to section  
2 85-1514;

3 (9) In offices in educational service units, according to section  
4 79-1217;

5 (10) In offices in hospital districts, according to section 23-3534;

6 (11) In offices in metropolitan utilities districts, according to  
7 section 14-2104;

8 (12) In membership on airport authority boards, according to section  
9 3-502, 3-611, or 3-703, as applicable;

10 (13) In membership on the board of trustees of a road improvement  
11 district, according to section 39-1607;

12 (14) In membership on the council of a municipal county, by the  
13 council;

14 (15) For learning community coordinating councils, according to  
15 section 32-546.01; and

16 (16) For regional metropolitan transit authority boards, according  
17 to section 18-808; and -

18 (17) For members of the Nebraska Medical Cannabis Commission,  
19 according to section 71-24,109.

20 **Sec. 4.** Section 32-813, Reissue Revised Statutes of Nebraska, is  
21 amended to read:

22 32-813 (1) The names of all candidates and all proposals to be voted  
23 upon at the general election shall be arranged upon the ballot in parts  
24 separated from each other by bold lines in the order the offices and  
25 proposals are set forth in this section. If any office is not subject to  
26 the upcoming election, the office shall be omitted from the ballot and  
27 the remaining offices shall move up so that the same relative order is  
28 preserved. The order of any offices may be altered to allow for the best  
29 utilization of ballot space in order to avoid printing a second ballot  
30 when one ballot would be sufficient if an optical-scan ballot is used.  
31 All proposals on the ballot submitted by a political subdivision shall

1 follow all offices on the ballot submitted by a political subdivision.

2 (2)(a) If the election is in a year in which a President of the  
3 United States is to be elected, the names and spaces for voting for  
4 candidates for President and Vice President shall be entitled  
5 Presidential Ticket in boldface type.

6 (b) The names of candidates for President and Vice President for  
7 each political party shall be grouped together, and each group shall be  
8 enclosed with brackets with the political party name next to the brackets  
9 and one square or oval opposite the names in which the voter indicates  
10 his or her choice.

11 (c) The names of candidates for President and Vice President who  
12 have successfully petitioned on the ballot for the general election shall  
13 be grouped together with the candidates appearing on the same petition  
14 being grouped together, and each group shall be enclosed with brackets  
15 with the words "By Petition" next to the brackets and one square or oval  
16 opposite the names in which the voter indicates his or her choice.

17 (d) Beneath the names of the candidates for President and Vice  
18 President certified by the officers of the national political party  
19 conventions pursuant to section 32-712 and beneath the names of all  
20 candidates for President and Vice President placed on the general  
21 election ballot by petition, two write-in lines shall be provided in  
22 which the voter may fill in the names of the candidates of his or her  
23 choice. The lines shall be enclosed with brackets with one square or oval  
24 opposite the names in which the voter indicates his or her choice. The  
25 name appearing on the top line shall be considered to be the candidate  
26 for President, and the name appearing on the second line shall be  
27 considered to be the candidate for Vice President.

28 (3) The names and spaces for voting for candidates for United States  
29 Senator if any are to be elected shall be entitled United States  
30 Senatorial Ticket in boldface type.

31 (4) The names and spaces for voting for candidates for

1 Representatives in Congress shall be entitled Congressional Ticket in  
2 boldface type. Above the candidates' names, the office shall be  
3 designated For Representative in Congress ..... District.

4 (5) The names and spaces for voting for candidates for the various  
5 state officers shall be entitled State Ticket in boldface type. Each set  
6 of candidates shall be separated by lines across the column, and above  
7 each set of candidates shall be designated the office for which they are  
8 candidates, arranged in the order prescribed by the Secretary of State.  
9 The candidates for Governor of each political party receiving the highest  
10 number of votes in the primary election shall be grouped together with  
11 their respective candidates for Lieutenant Governor. Each group shall be  
12 enclosed with brackets with the political party name next to the brackets  
13 and one square or oval opposite the names in which the voter indicates  
14 his or her choice for Governor and Lieutenant Governor jointly. The  
15 candidates for Governor and Lieutenant Governor who have successfully  
16 petitioned on the general election ballot shall be grouped together with  
17 the candidates appearing on the same petition being grouped together.  
18 Each group shall be enclosed with brackets with the words "By Petition"  
19 next to the brackets and one square or oval opposite the names in which  
20 the voter indicates his or her choice for Governor and Lieutenant  
21 Governor jointly. Beneath the names of the candidates for Governor  
22 nominated at a primary election by political party and their respective  
23 candidates for Lieutenant Governor and beneath the names of all  
24 candidates for Governor and Lieutenant Governor placed on the general  
25 election ballot by petition, one write-in line shall be provided in which  
26 the registered voter may fill in the name of the candidate for Governor  
27 of his or her choice and one square or oval opposite the line in which  
28 the voter indicates his or her choice for Governor.

29 (6) The names and spaces for voting for nonpartisan candidates shall  
30 be entitled Nonpartisan Ticket in boldface type. The names of all  
31 nonpartisan candidates shall appear in the order listed in this

1 subsection, except that when using an optical-scan ballot, the order of  
2 offices may be altered to allow for the best utilization of ballot space  
3 to avoid printing a second ballot when one ballot would be sufficient:

4 (a) Legislature;

5 (b) State Board of Education;

6 (c) Board of Regents of the University of Nebraska;

7 (d) Chief Justice of the Supreme Court;

8 (e) Judge of the Supreme Court;

9 (f) Judge of the Court of Appeals;

10 (g) Judge of the Nebraska Workers' Compensation Court;

11 (h) Judge of the District Court;

12 (i) Judge of the Separate Juvenile Court;

13 (j) Judge of the County Court; and

14 (k) Nebraska Medical Cannabis Commission; and

15 (l) ~~(k)~~ County officers in the order prescribed by the election  
16 commissioner or county clerk.

17 (7) The names and spaces for voting for the various county offices  
18 and for measures submitted to the county vote only or in only a part of  
19 the county shall be entitled County Ticket in boldface type. If the  
20 election commissioner or county clerk deems it advisable, the measures  
21 may be submitted on a separate ballot if using a paper ballot or on  
22 either side of an optical-scan ballot if the ballot is placed in a ballot  
23 envelope or sleeve before being deposited in a ballot box.

24 (8) The candidates for office in the precinct only or in the city or  
25 village only shall be printed on the ballot, except that if the election  
26 commissioner or county clerk deems it advisable, candidates for these  
27 offices may be submitted on a separate ballot if using a paper ballot or  
28 on either side of an optical-scan ballot if the ballot is placed in a  
29 ballot envelope or sleeve before being deposited in a ballot box.

30 (9) All proposals submitted by initiative or referendum and  
31 proposals for constitutional amendments shall be placed on a separate

1 ballot when a paper ballot is used which requires that the ballot after  
2 being voted be folded before being deposited in a ballot box. When an  
3 optical-scan ballot is used which requires a ballot envelope or sleeve in  
4 which the ballot after being voted is placed before being deposited in a  
5 ballot box, initiative or referendum proposals and proposals for  
6 constitutional amendments may be placed on either side of the ballot,  
7 shall be separated by a bold line, and shall follow all other offices  
8 placed on the same side of the ballot. Initiative or referendum proposals  
9 and constitutional amendments so arranged shall constitute a separate  
10 ballot. Proposals for constitutional amendments proposed by the  
11 Legislature shall be placed on the ballot as provided in sections 49-201  
12 to 49-211.

13 **Sec. 5.** Section 71-24,109, Revised Statutes Supplement, 2025, is  
14 amended to read:

15 71-24,109 (1) For purposes of providing the necessary registration  
16 and regulation of persons that possess, manufacture, distribute, deliver,  
17 and dispense cannabis for medical purposes pursuant to the Nebraska  
18 Medical Cannabis Regulation Act, the Nebraska Medical Cannabis Commission  
19 is created.

20 (2) Except as provided in subsection (3) of this section:

21 (a) The commission shall consist of no fewer than three and no more  
22 than five members; -

23 (b) ~~(3)~~ The three members of the Nebraska Liquor Control Commission  
24 shall be ex officio members of the commission, serving terms and  
25 receiving appointment in the same manner as provided in section 53-105; -

26 (c) ~~(4)~~ The Governor may appoint two additional members, subject to  
27 confirmation by a majority of the members elected to the Legislature, to  
28 serve with the members of the Nebraska Liquor Control Commission as  
29 members of the Nebraska Medical Cannabis Commission. The members  
30 appointed pursuant to this subsection shall serve six-year terms; and -

31 (d) ~~(5)~~ The Governor may reappoint members of the commission,

1 subject to approval by a majority of the members elected to the  
2 Legislature.

3 (3) Beginning January 4, 2029, the Nebraska Medical Cannabis  
4 Commission shall consist of five members nominated at the statewide  
5 primary election and elected at the statewide general election. One  
6 member shall be elected from each of the five public service commissioner  
7 districts as provided in section 2 of this act. Vacancies shall be filled  
8 by appointment by the Governor.

9 **Sec. 6.** Original section 32-813, Reissue Revised Statutes of  
10 Nebraska, section 32-567, Revised Statutes Cumulative Supplement, 2024,  
11 and sections 32-101 and 71-24,109, Revised Statutes Supplement, 2025, are  
12 repealed.