

LEGISLATURE OF NEBRASKA
ONE HUNDREDTH LEGISLATURE
FIRST SESSION
LEGISLATIVE BILL 290

FINAL READING

Introduced by Pirsch, 4

Read first time January 10, 2007

Committee: Judiciary

A BILL

1 FOR AN ACT relating to courts; to amend section 24-809, Reissue
2 Revised Statutes of Nebraska; to change provisions
3 relating to the judicial nominating commission as
4 prescribed; and to repeal the original section.
5 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 24-809, Reissue Revised Statutes of
2 Nebraska, is amended to read:

3 24-809 The judge of the Supreme Court on each judicial
4 nominating commission shall be the chairperson of the commission
5 and shall preside at all of its meetings. He or she shall not
6 be entitled to vote. In selecting or rejecting judicial nominees,
7 the members of the commission shall vote by oral roll call
8 vote. When it is determined that a judicial vacancy exists in
9 a particular district, the chairperson of the commission shall
10 determine whether there will be eight qualified members of the
11 appropriate judicial nominating commission, including alternate
12 members. If it is determined that there will not be eight members
13 present and capable of voting at the time the commission meets to
14 vote, the chairperson of the commission shall inform the Governor
15 of the number of citizen members which need to be appointed
16 and shall inform the Executive Director of the Nebraska State
17 Bar Association of the number of lawyer members which need to
18 be elected. The Governor shall promptly make such number of
19 citizen appointments as are necessary. The Executive Council of
20 the Nebraska State Bar Association shall nominate ~~two~~ at least
21 one lawyer candidates candidate for each vacancy on the nominating
22 commission which needs to be filled. If the Executive Council
23 is unable, with reasonable effort, to obtain a sufficient number
24 of candidates for each vacancy, it may nominate candidates who
25 do not reside in the judicial district or area served by such

1 nominating commission. The nominations shall be sent to the Clerk
2 of the Supreme Court, and the lawyer vacancies shall be filled
3 by election as provided in section 24-806. There shall be eight
4 qualified commission members present and capable of voting at the
5 time the vote is taken. In the event that a nominating commission
6 public hearing is postponed due to the lack of a full complement
7 of commission members entitled to vote, the time limits specified
8 in subsection (4) of section 24-810 shall be extended for an
9 additional thirty days for each such postponement. The chairperson
10 of the commission shall cause appropriate notice of the time and
11 place of the newly scheduled judicial nominating commission public
12 hearing to be published as provided in subsection (1) of section
13 24-810. The postponement of a commission hearing shall not extend
14 the initial application filing deadline of twenty-one days prior to
15 the initial public hearing. Each candidate shall receive five votes
16 from the voting members of the nominating commission to have his or
17 her name submitted to the Governor.

18 Sec. 2. Original section 24-809, Reissue Revised Statutes
19 of Nebraska, is repealed.