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SECRETARY OF STATE

STATEMENT OF OBJECT OF INITIATIVE PETITION, TEXT OF MEASURE, AND SWORN STATEMENT

Come now the citizens of the State of Nebraska hereinafter listed, and pursuant to Nebraska Revised Statute 32-1405 (Reissue 2004), hereby respectfully file with the Nebraska Secretary of State this Statement of Object Of Initiative Petition.

STATEMENT OF OBJECT

This petition is an attempt to amend the Nebraska Constitution. This amendment, if successful, will allow for the recall of any elected official, elected by the State of Nebraska registered voters. This amendment to the Nebraska Constitution would cause elected officials to be accountable to those voters should their actions, directly or indirectly, negatively affect the State of Nebraska, its sovereignty or its people. This amendment would empower the people to circulate a "recall petition". If 30% of registered voters who cast a vote in the last election for the elected official sought to be recalled, a recall election will be scheduled. Should the majority of voters vote "YES" to the question of recall, the elected official who was the subject of the recall shall be removed from office as soon as his elected successor is qualified by the State Election Board. The sponsors of this amendment petition feel this is a necessary step to protect the people of Nebraska from elected officials who do not act in the best interest of the State of Nebraska. If an elected official should chose not to seek re-election, he is basically serving without being accountable to anyone but those is his own political party for a term of up to 6 years. We believe this amendment to the Nebraska Constitution would serve as notice to each and every elected official from the State of Nebraska, that they are accountable to its people. This amendment would add Nebraska to a list of 18 states which currently have the ability to recall elected officials. The most recent addition to this list was the State of Minnesota in 1996.

TEXT OF MEASURE: NEBRASKANS FOR ACCOUNTABLE GOVERNMENT

To add a new Section 7 to Article VI of the Constitution of Nebraska:

VI – 7 (1) Any elected official may be recalled from office at any time through the procedure and in the manner provided for in this section. The procedure shall be known as recall and shall be in addition to any other method of removal from office provided by law.

(2) The procedure to recall an elected official shall be:

(a) A petition signed by registered voters entitled to vote for a successor of the elected official sought to be recalled, equal to thirty percent of the entire vote cast at the last preceding general election for each candidate for the office which the elected official sought to be recalled

occupies, demanding an election of a successor to the elected official named in the petition, shall be filed in the office in which the elected official is required to file for office. The petition shall contain a general statement, in not more then two hundred words, of the ground or grounds on which recall is sought, which statement is intended for the information of the registered voters. The registered voters shall be the sole and exclusive judges of the legality, reasonableness, and sufficiency of such ground or grounds assigned for such recall, and the ground or grounds shall not be open to review;

(b) Any recall petition may be circulated and signed in sections. Each section shall contain the name of the office held by the elected official sought to be recalled and a full and accurate copy of the general statement of the ground or grounds on which recall is sought. The signatures need not all be on one sheet of paper, but each signer shall add to his or her signature the date of signing the petition and his or her place of residence, giving the street number, if any, if he or she resides in a city or village. The person circulating such sheet shall make and subscribe an oath on each sheet that the signatures thereon are genuine, and a false oath, willfully so made and subscribed by such person, shall be perjury and be punished as such;

(c) The petition shall be deemed and held to be sufficient if it appears to be signed by the requisite number of signers, and such signers shall be deemed and held to be registered voters unless a protest in writing under oath is filed, in the office in which the petition has been filed, by a registered voter, within 10 days after the petition is filed, setting forth specifically the grounds of such protest. The person or persons named as sponsors on the petition shall be deemed sponsors of the petition. The officer with whom such petition is filed shall forthwith mail a copy of such protest to the sponsors together with a notice fixing a time for hearing the protest not less than five nor more than 10 days after such notice is mailed. All hearings shall be before the officer with whom the protest is filed, and all testimony shall be under oath. Such hearings shall be summary and not subject to delay and shall be concluded within thirty days after the petition is filed, and the result thereof shall be forthwith certified to the sponsors. If the petition is not sufficient, it may be withdrawn by the sponsor or a majority of the sponsors and may, within fifteen days thereafter, be amended and refilled as an original petition. The finding as to the sufficiency of any petition may be reviewed by the district court of the county in which the petition is filed, upon application of the sponsor or a majority of the sponsors, but the review shall be had and determined forthwith. The sufficiency or the determination of the sufficiency of the recall petition shall not be held or construed to refer to the ground or grounds assigned in the recall petition.

(d) If the petition is sufficient, the officer with whom the recall petition was filed shall submit the petition, together with a certificate of its

sufficiency, to the Governor. The Governor shall order and fix the date for holding the election not less than forty five days nor more than ninety days from the date of submission of the petition, except that if a general election is to be held no fewer than 90 and no more than 180 days after the date of submission of the petition, the recall election shall be held as part of the general election. The Governor shall make or cause to be made publication of notice for the holding of the election, and officers charged by law with duties concerning election shall make all arrangements for such election, and the recall election shall be conducted, returned, and the result thereof declared in all respects as in the case of a general election;

(e) If the elected official sought to be recalled offers his or her resignation, it shall be accepted, and the vacancy caused by such resignation or from any other cause shall be filled as provided by law, but the person appointed to fill such vacancy shall hold office only until the person elected at the recall election qualifies for the office. On the official ballot at a recall election shall be printed the general statement of the ground or grounds on which recall is sought as set forth in the petition, and in not more than three hundred words there shall also be printed, if desired by the elected official, the elected official's justification of his or her course in office. If the elected official resigns at any time subsequent to the filing of the recall petition, the recall election shall be called notwithstanding such resignation.

(f) There shall be printed on the official ballot, as to the elected official whose recall is to be voted on, the words, "Shall (name of person against whom the recall petition is filed) be recalled from the office of (office of elected official to be recalled)?" On the ballot shall also be printed the names of those persons who have filed as candidates to succeed the elected official sought to be recalled, but no vote cast shall be counted for any candidate for such office unless the voter also voted for or against the recall of the elected official sought to be recalled. The name of the elected official against whom the petition is filed shall not appear on the ballot as a candidate for the office.

(g) If a majority of those voting on the question of the recall of the elected official vote "No", the elected official shall continue in office and if a majority of those voting on the question vote "Yes", the elected official shall be deemed removed from office upon the qualification of his successor. If the vote in the recall election recalls the elected official, then the candidate who has received the highest number of votes for the office is elected for the remainder of the term and a certificate of election shall be issued to him or her by the canvassing board. If the person who received the highest number of votes fails to qualify within fifteen days after the issuance of a certificate of election, the office shall be deemed vacant and shall be filled according to law.

(h) A candidate for the office may file for office as provided by law not less than fifteen days before the recall election;
(i) After one recall election, no further recall petition shall be filed against the same elected official during the term for which he or she was elected unless the petitioners' signing the petition equal fifty percent of the votes cast at the last preceding general election for each candidate for the office held by the elected official sought to be recalled.

(3) This section is self-executing, but legislation may be enacted to facilitate its operation, but in now way limiting or restricting this section or the powers reserved in this section.

SWORN STATEMENT

The undersigned, being first duly sworn on my oath, does hereby affirm that the names and addresses of the people sponsoring this proposed initiative petition are set forth hereinafter, and that said sponsors are citizens and electors of Nebraska.

1) Nebraska 912 Freedom Project:

Group Contacts:

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2) Western Nebraska Tea Party:

Group Contacts:

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STATE OF NEBRASKA)
) ss.
COUNTY OF DAWES)

The foregoing instrument was acknowledged before me this 9th day of March, 2010 by [illegible] NE 912.

Notary Public

GENERAL NOTARY-State of Nebraska
LESLIE J. ANDERSON
My Comm. Exp. June 6, 2010