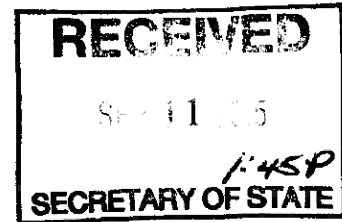STATE OF NEBRASKA

Office of the Attorney General

2115 STATE CAPITOL BUILDING
LINCOLN, NE 68509-8920
(402) 471-2682
TDD (402) 471-2682
FAX (402) 471-3297 or (402) 471-4725

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MSP

SECRETARY OF STATE

DOUGLAS J. PETERSON
ATTORNEY GENERAL

September 11, 2015

The Honorable John A. Gale
Nebraska Secretary of State
Room 2300, State Capitol
Lincoln, NE 68509

Dear Secretary Gale:

Pursuant to Neb. Rev. Stat. § 32-1410(2) (2008), you have notified us that you have received a statutory repeal proposed by referendum for referral to the people of Nebraska on the November, 2016, general election ballot. Your notification was received by our office on September 2, 2015.

In accordance with the duty imposed by § 32-1410(2), we have prepared the following ballot title and explanatory statement for that statutory referendum. As provided by statute, the explanatory statement is to directly precede the ballot title on the ballot and be printed in italics:

A vote to "Retain" will eliminate the death penalty and change the maximum penalty for the crime of murder in the first degree to life imprisonment by retaining Legislative Bill 268, passed in 2015 by the First Session of the 104th Nebraska Legislature.
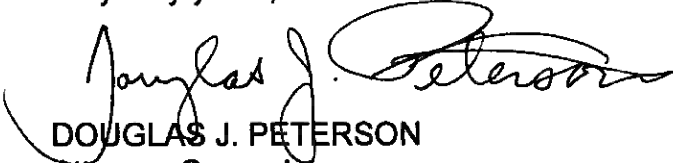
A vote to "Repeal" will keep the death penalty as a possible penalty for the crime of murder in the first degree by repealing Legislative Bill 268, passed in 2015 by the First Session of the 104th Nebraska Legislature.

Below this explanatory statement, the following language should be inserted for the ballot title:

The purpose of Legislative Bill 268, passed by the First Session of the 104th Nebraska Legislature in 2015, is to eliminate the death penalty and change the maximum penalty for the crime of murder in the first degree to life imprisonment. Shall Legislative Bill 268 be repealed?

You are reminded that § 32-1410(3) requires that you serve a copy of this language upon the persons offering or filing the initiative petition by mail or electronic transmission forthwith.

Very truly yours,

DOUGLAS J. PETERSON
Attorney General