Sen. Friesen introduced LB 415 in 2019 to repeal provisions in law which allow for recalls of publicly-elected officials. His argument is that recall efforts as of late have been over basic disagreements, not serious offenses, the excess use of recalls is discouraging individuals from running for office, and in some cases the process diminishes the independence of elected officials.

Not every state allows for recall. In Nebraska only local officials can be recalled and state officials cannot be recalled. If the recall process was repealed, there would still be a way to redress major grievances and illegal activity through judicial proceedings.

Examples include an effort to recall a school board (and Farm Bureau) member who voted to cut a small portion of the school budget in an effort to lower property taxes and a vote in Hamilton County to replace the Hamilton County EMS with part-time paramedics in an effort to save tax dollars.

Alternatively, individuals have floated the notion of outlining, in statute, grounds for recall. Currently in Nebraska, no grounds are required and recall petitions may be circulated for any reason. Other states have stricter guidelines. Georgia, for instance, outlines the following Grounds for Recall: Act of malfeasance or misconduct while in office; violation of oath of office; failure to perform duties prescribed by law; willfully misused, converted, or misappropriated, without authority, public property or public funds entrusted to or associated with the elective office to which the official has been elected or appointed. Discretionary performance of a lawful act or a prescribed duty shall not constitute a ground for recall of an elected public official.

Questions

- Should NEFB policy support repealing provisions in law which allow for recall petitions?
- Should NEFB policy support language in statute which outlines grounds for recall?