

LEGISLATIVE BILL 1174

Approved by the Governor April 12, 1988

Introduced by Landis, 46; L. Johnson, 15; Moore, 24;
Withem, 14

AN ACT relating to the Nebraska Political Accountability and Disclosure Act; to amend sections 49-1446.01 and 49-1490, Reissue Revised Statutes of Nebraska, 1943; to provide for additional expenditures by a committee as prescribed; to redefine a term; and to repeal the original sections.

Be it enacted by the people of the State of Nebraska,

Section 1. That section 49-1446.01, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

49-1446.01. No committee, other than a political party committee, may expend or transfer funds except to make an expenditure, as defined in subsection (1), (2), or (3) of section 49-1419, or as provided in this section. Any committee, including a political party committee, may:

(1) Make expenditures or transfer funds after an election for: (a) The necessary continued operation of the campaign office or offices of the candidate or political committee; (b) social events primarily for the benefit of campaign workers and volunteers or constituents; (c) obtaining public input and opinion; (d) repayment of campaign loans incurred prior to election day; (e) newsletters and other communications of information, thanks, acknowledgment, or greetings, or for the purpose of political organization and planning; (f) gifts of acknowledgment, including flowers and charitable contributions, except that gifts to any one natural person shall not exceed fifty dollars in any one calendar year; ~~and~~ (g) meals, lodging, and travel by an officeholder related to his or her candidacy and for members of the immediate family of the officeholder when involved in activities related to his or her candidacy; and (h) meals, lodging, and travel by an officeholder and his or her staff when involved in activities related to the duties of his or her public office; and

(2) Invest funds in investments authorized in sections 72-1237 to 72-1269 for the state investment officer.

Sec. 2. That section 49-1490, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

49-1490. (1) A principal, lobbyist, or anyone acting on behalf of either shall not give a gift to any official or member of any official's staff in the executive or legislative branch of state government, or any member of an official's immediate family. Any person who knowingly gives a gift in violation of this subsection shall be guilty of a Class III misdemeanor.

(2) An official or any other person on his or her behalf in the legislative or executive branch of state government or a member of such official's staff or immediate family shall not solicit or accept a gift in violation of subsection (1) of this section. Any person who knowingly solicits or accepts a gift in violation of this subsection shall be guilty of a Class III misdemeanor.

(3) As used in sections 49-1480 to 49-1492, gift shall mean a payment, subscription, advance, forbearance, or honorarium, ~~campaign contribution from a lobbyist,~~ or the rendering or deposit of money, services, or anything of value, the value of which exceeds twenty-five dollars in any one-month period, unless consideration of equal or greater value is received therefor. Gift shall not include:

(a) A campaign contribution otherwise reported as required by law, ~~except as otherwise provided in this subsection;~~

(b) A commercially reasonable loan made in the ordinary course of business;

(c) A gift received from a member of the person's immediate family, a relative, or ~~from~~ the spouse of any such relative;

(d) A breakfast, luncheon, dinner, or other refreshments consisting of food and beverage provided for immediate consumption;

(e) Admissions to state-regulated industries, facilities, or events; or

(f) The occasional provision of transportation within the State of Nebraska to an officeholder.

Sec. 3. That original sections 49-1446.01 and 49-1490, Reissue Revised Statutes of Nebraska, 1943, are repealed.