



Ninety-Ninth Legislature - First Session - 2005
Introducer's Statement of Intent
LB 242

Chairperson: DiAnna R. Schimek
Committee: Government, Military and Veterans Affairs
Date of Hearing: January 27, 2005

The following constitutes the reasons for this bill and the purposes which are sought to be accomplished thereby:

LB 242 amends the Nebraska Political Accountability and Disclosure Act for the purpose of updating and clarifying the language in the Act.

A few, minor substantive changes are also made to the Act. These changes include:

- Clarifying the penalty provision regarding loans to candidates. The civil penalty will not be less than \$250 and not more than the amount of money received by a candidate committee in violation of this section if the candidate committee received more than \$250.
- Amending section 49-1453 to provide a means of dissolving a committee after a determination by the Accountability and Disclosure Commission that the late filing fees, civil penalties and interest are uncollectible.
- Eliminating the requirement that an independent expenditure or earmarked contribution report be filed with the local election official. This change is consistent with the previous elimination of other requirements to file campaign reporting documents with the county clerk or election commissioner.
- Changing the reporting requirements for businesses and organizations to “more than \$250” to make it consistent with other reporting thresholds for candidate committees or PACs.
- Requiring lobbyists who are required to be registered, along with registered lobbyists, to file reports.
- Extending the filing requirement from 15 to 30 days after the end of each calendar quarter for principals and lobbyists.
- Clarifying that lobbyists need to report office expenses reasonably related to the practice of lobbying.
- Restoring the original intent of section 49-14, 101.01 to prohibit a public official or employee from using public resources for any purpose other than prescribed reasons. The current language only prohibits using public resources for personal financial gain.

- Eliminating the word “campaigning” in section 49-14,101.02 since the word is not defined under the Act. The term is replaced by the phrase “supporting or opposing” which is consistent with other language in the Act.
- Eliminates the reference of the Governor not receiving compensation for being a commission member, since the Governor is no longer an ex-officio member of the commission.
- Clarifying that the Commission has the authority to appoint hearing officers as provided in the Administrative Procedures Act and that the hearing officer or some other authorized person may administer oaths and affirmations for testimony.
- Requiring a majority of the commission to vote in determining whether there has been a violation. The current language only requires a “majority of members present.”

Principal Introducer:

_____ **Senator DiAnna R. Schimek**