

LEGISLATURE OF NEBRASKA

ONE HUNDRED FIRST LEGISLATURE

FIRST SESSION

LEGISLATIVE BILL 509

Introduced by Pirsch, 4.

Read first time January 21, 2009

Committee: Government, Military and Veterans Affairs

A BILL

1 FOR AN ACT relating to campaign finance; to amend section
2 32-1603, Reissue Revised Statutes of Nebraska, and
3 section 49-1455, Revised Statutes Cumulative Supplement,
4 2008; to redefine election period; and to repeal the
5 original sections.

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

1 Section 1. Section 32-1603, Reissue Revised Statutes of
2 Nebraska, is amended to read:

3 32-1603 For purposes of the Campaign Finance Limitation
4 Act, the definitions found in sections 49-1404 to 49-1444 shall be
5 used, except that:

6 (1) Covered elective office means (a) the Legislature
7 in any election period and (b) the Governor, State Treasurer,
8 Secretary of State, Attorney General, Auditor of Public Accounts,
9 the Public Service Commission, the Board of Regents of the
10 University of Nebraska, and the State Board of Education if
11 designated as covered for a given election period pursuant to
12 section 32-1611;

13 (2) Election period means (a) the period beginning
14 January 1 of the calendar year ~~prior to~~ following the year of
15 the last general election in which the candidate is seeking office
16 was on the ballot through the end of the calendar year of such
17 the following election; ~~for covered elective offices listed in~~
18 ~~subdivision (1)(a) of this section and (b) the period beginning~~
19 ~~July 1 of the calendar year prior to the year of the election~~
20 ~~in which the candidate is seeking office through the end of the~~
21 ~~calendar year of such election for covered elective offices listed~~
22 ~~in subdivision (1)(b) of this section;~~

23 (3) Expenditure, as it relates to the expenditure of
24 public funds, means (a) the purchase for campaign activities of (i)
25 services from a communications medium, including production costs,

1 (ii) printing, photography, graphic arts, or advertising services,
2 (iii) office supplies, (iv) postage and other commercial delivery
3 services, (v) meals, lodging, and travel expenses, and (vi) staff
4 salaries and (b) repayment of loans to the candidate committee made
5 in accordance with subsection (2) of section 32-1608.03 for any of
6 the purposes listed in subdivision (a) of this subdivision;

7 (4) General election period means the period beginning
8 with the day following the end of the primary election period
9 through the end of the election period;

10 (5) Primary election period means the period beginning
11 with the first day of the election period through the thirty-fifth
12 day following the primary election; and

13 (6) Unrestricted spending means expenditures or transfers
14 of funds authorized under subdivision (6), (8), or (9) of section
15 49-1446.03.

16 Sec. 2. Section 49-1455, Revised Statutes Cumulative
17 Supplement, 2008, is amended to read:

18 49-1455 (1) The campaign statement of a committee, other
19 than a political party committee, shall contain the following
20 information:

21 (a) The filing committee's name, address, and telephone
22 number and the full name, residential and business addresses, and
23 telephone numbers of its committee treasurer;

24 (b) Under the heading RECEIPTS, the total amount of
25 contributions received during the period covered by the campaign

1 statement; under the heading EXPENDITURES, the total amount of
2 expenditures made during the period covered by the campaign
3 statement; and the cumulative amount of those totals for the
4 election period. If a loan was repaid during the period covered
5 by the campaign statement, the amount of the repayment shall
6 be subtracted from the total amount of contributions received.
7 Forgiveness of a loan shall not be included in the totals. Payment
8 of a loan by a third party shall be recorded and reported as a
9 contribution by the third party but shall not be included in the
10 totals. In-kind contributions or expenditures shall be listed at
11 fair market value and shall be reported as both contributions and
12 expenditures;

13 (c) The balance of cash and cash equivalents on hand at
14 the beginning and the end of the period covered by the campaign
15 statement;

16 (d) The full name of each individual from whom
17 contributions totaling more than two hundred fifty dollars are
18 received during the period covered by the report, together with
19 the individual's street address, the amount contributed, the date
20 on which each contribution was received, and the cumulative amount
21 contributed by that individual for the election period;

22 (e) The full name of each person, except those
23 individuals reported under subdivision (1)(d) of this section,
24 which contributed a total of more than two hundred fifty dollars
25 during the period covered by the report together with the person's

1 street address, the amount contributed, the date on which each
2 contribution was received, and the cumulative amount contributed by
3 the person for the election period;

4 (f) The name of each committee which is listed as
5 a contributor shall include the full name of the committee's
6 treasurer;

7 (g) Except as otherwise provided in subsection (3) of
8 this section: The full name and street address of each person
9 to whom expenditures totaling more than two hundred fifty dollars
10 were made, together with the date and amount of each separate
11 expenditure to each such person during the period covered by the
12 campaign statement; the purpose of the expenditure; and the full
13 name and street address of the person providing the consideration
14 for which any expenditure was made if different from the payee;

15 (h) The amount and the date of expenditures for or
16 against a candidate or ballot question during the period covered
17 by the campaign statement and the cumulative amount of expenditures
18 for or against that candidate or ballot question for the election
19 period. An expenditure made in support of more than one candidate
20 or ballot question, or both, shall be apportioned reasonably among
21 the candidates or ballot questions, or both; and

22 (i) The total amount of funds disbursed by a separate
23 segregated political fund, by state, for the purpose of supporting
24 or opposing candidates and committees in elections in states
25 other than Nebraska and candidates for federal office, including

1 independent expenditures made in such elections.

2 (2) For purposes of this section, election period means
3 (a) the period beginning January 1 of the calendar year ~~prior~~
4 ~~to~~ following the year of the last general election in which
5 the ~~candidate is seeking~~ office was on the ballot through the
6 end of the calendar year of such ~~the following~~ election for
7 candidate committees of candidates seeking covered elective offices
8 as defined in subdivision (1)(a) ~~of section 32-1603,~~ ~~(b)~~ the period
9 beginning July 1 of the calendar year prior to the year of the
10 election in which the candidate is seeking office through the end
11 of the calendar year of such election for candidate committees
12 of candidates seeking covered elective offices so defined in
13 ~~subdivision or~~ (1)(b) of section 32-1603, and ~~(e)~~ (b) the calendar
14 year of the election for all other committees.

15 (3) A campaign statement shall include the total amount
16 paid to individual petition circulators during the reporting
17 period, if any, but shall not include the name, address, or
18 telephone number of any individual petition circulator if the only
19 payment made to such individual was for services as a petition
20 circulator.

21 Sec. 3. Original section 32-1603, Reissue Revised
22 Statutes of Nebraska, and section 49-1455, Revised Statutes
23 Cumulative Supplement, 2008, are repealed.