

## LEGISLATIVE BILL 815

Approved by the Governor May 25, 1989

Introduced by Appropriations Committee, Warner, 25,  
Chairperson; Scofield, 49; L. Johnson, 15;  
Moore, 24; Hannibal, 4; Langford, 36;  
Ashford, 6; Wehrbein, 2

AN ACT relating to state government; to amend sections 49-1401 and 49-1495, Reissue Revised Statutes of Nebraska, 1943; to change a provision relating to the cost of providing copies; to provide duties; to create and authorize funds; to harmonize provisions; and to repeal the original sections.

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

Section 1. That section 49-1401, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

49-1401. Sections 49-1401 to 49-14,138 ~~49-14,139 and sections 3 and 4 of this act~~ shall be known and may be cited as the Nebraska Political Accountability and Disclosure Act. ~~After July 17, 1986, any Any~~ reference to sections 49-1401 to 49-14,138 shall be construed to include sections 49-1499.01 and 49-14,103.01 to 49-14,103.07. After the effective date of this act, any reference to sections 49-1401 to 49-14,138 shall be construed to include sections 3 and 4 of this act.

Sec. 2. That section 49-1495, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

49-1495. (1) An individual appointed to an office specified in section 49-1493 shall, before assuming duties, file a statement for the preceding calendar year with the commission and, when confirmation is required, with the official or body that is vested with the power of confirmation within fifteen days after the nomination or at least ten days before the official or body shall ~~will~~ approve or reject the nomination, whichever is sooner.

(2) An individual designated in section 49-1493 shall, within five days, file with the election commissioner of the county in which the individual resides, a copy of any statement that individual files with the commission. If the county has no election

commissioner, the individual shall file the copy of the statement with the clerk of the county in which the individual resides. The commission, election commissioners, and clerks of the counties shall make the statements available for public inspection during regular office hours and shall make copying facilities available at a cost of not to exceed ~~twenty-five~~ fifty cents per page.

Sec. 3. The commission shall provide copies of statements, reports, parts of reports, advisory opinions, and public information prepared by the commission to any person on request at a reasonable cost to be determined by the commission.

Sec. 4. The Nebraska Accountability and Disclosure Commission Cash Fund is hereby created. The fund shall consist of funds received by the commission pursuant to sections 49-1470, 49-1495, and 49-14.123 and section 3 of this act. The fund shall not include late filing fees or civil penalties assessed and collected by the commission. The fund shall be used by the commission in administering the Nebraska Political Accountability and Disclosure Act. Any money in the fund available for investment shall be invested by the state investment officer pursuant to sections 72-1237 to 72-1276.

Sec. 5. The Tax Commissioner may apply to the Director of Administrative Services and the Auditor of Public Accounts to establish and maintain a Charitable Gaming Investigation Petty Cash Fund. The funds used to initiate and maintain the Charitable Gaming Investigation Petty Cash Fund shall be drawn solely from the Charitable Gaming Operations Fund. The Tax Commissioner shall determine the amount of money to be held in the Charitable Gaming Investigation Petty Cash Fund, consistent with carrying out the duties and responsibilities of the Charitable Gaming Division of the Department of Revenue but not to exceed five thousand dollars for the entire division. This restriction shall not apply to funds otherwise appropriated to the Charitable Gaming Operations Fund for investigative purposes. When the Director of Administrative Services and the Auditor of Public Accounts have approved the establishment of the Charitable Gaming Investigation Petty Cash Fund, a voucher shall be submitted to the Department of Administrative Services accompanied by such information as the department may require for the establishment of the fund. The Director of Administrative Services shall issue a warrant for the amount specified and deliver it

to the Charitable Gaming Division. The fund may be replenished as necessary, but the total amount in the fund shall not exceed ten thousand dollars in any fiscal year. The fund shall be audited by the Auditor of Public Accounts.

Any prize amounts won by Charitable Gaming Division personnel with funds drawn from the Charitable Gaming Investigation Petty Cash Fund or reimbursed from the Charitable Gaming Operations Fund shall be deposited into the Charitable Gaming Operations Fund.

For the purpose of establishing and maintaining legislative oversight and accountability, the Department of Revenue shall maintain records of all expenditures, disbursements, and transfers of cash from the Charitable Gaming Investigation Petty Cash Fund.

By September 15 of each year, the department shall report to the budget division of the Department of Administrative Services and to the Legislative Fiscal Analyst the unexpended balance existing on June 30 of the previous fiscal year relating to investigative expenses in the Charitable Gaming Investigation Petty Cash Fund and any funds existing on June 30 of the previous fiscal year in the possession of Charitable Gaming Division personnel involved in investigations. Any money in the fund available for investment shall be invested by the state investment officer pursuant to sections 72-1237 to 72-1276.

Sec. 6. That original sections 49-1401 and 49-1495, Reissue Revised Statutes of Nebraska, 1943, are repealed.