

LEGISLATURE OF NEBRASKA
ONE HUNDRED SEVENTH LEGISLATURE
FIRST SESSION

LEGISLATIVE BILL 675

Introduced by Linehan, 39.

Read first time January 20, 2021

Committee:

- 1 A BILL FOR AN ACT relating to education; to adopt the Education Lobbyist
- 2 Pay Transparency Act.
- 3 Be it enacted by the people of the State of Nebraska,

1 Section 1. Sections 1 to 5 of this act shall be known and may be
2 cited as the Education Lobbyist Pay Transparency Act.

3 Sec. 2. For purposes of the Education Lobbyist Pay Transparency
4 Act:

5 (1) Contract for lobbying services or contract means a contract and
6 all amendments thereto authorizing a lobbyist to lobby on behalf of a
7 school district or an educational service unit and shall include a
8 detailed description of any compensation or reimbursement, in any form,
9 to be received by the lobbyist and any money to be expended, including,
10 but not limited to, reimbursements to an employee or other person, by the
11 school district or educational service unit in association with any
12 lobbying activities involving such lobbyist in any manner;

13 (2) Lobby means any activity to support or oppose (a) the
14 introduction or enactment of legislative proposals considered by the
15 Legislature or (b) the initiation or approval of legislative proposals by
16 the executive branch of the State of Nebraska;

17 (3) Lobbyist means a person or organization, including an
18 organization to which membership dues are paid, who is authorized to
19 lobby on behalf of a school district or an educational service unit.
20 Lobbyist does not include a person who is an employee of the school
21 district or educational service unit who is representing the school
22 district or educational service unit in the course or scope of the
23 employee's employment or a member of a school board or board of an
24 educational service unit who is acting in the course or scope of the
25 board member's official duties;

26 (4) On behalf of an educational service unit means on behalf of the
27 board of the educational service unit, any member of the board of the
28 educational service unit who is acting in the course or scope of the
29 board member's official duties, or any employee of the educational
30 service unit who is representing the educational service unit in the
31 course or scope of the employee's employment; and

1 (5) On behalf of a school district means on behalf of the school
2 board, any member of a school board who is acting in the course or scope
3 of the board member's official duties, or any employee of the school
4 district who is representing the school district in the course or scope
5 of the employee's employment.

6 Sec. 3. (1) No school board or board of an educational service unit
7 shall authorize any lobbyist to lobby on behalf of such school district
8 or educational service unit without a current contract for lobbying
9 services approved pursuant to the Education Lobbyist Pay Transparency
10 Act. Such approval includes any amendments to such contract.

11 (2) Before the school board of any school district or the board of
12 any educational service unit approves a new or amended contract for
13 lobbying services, such board shall publish a copy of such proposed new
14 or amended contract and a reasonable estimate and description of all
15 current and future costs to the school district or educational service
16 unit if such proposed new or amended contract is approved at least three
17 days before the meeting of the board at which such proposed new or
18 amended contract will be considered. Such publication shall also specify
19 the date, time, and place of the public meeting at which the proposed new
20 or amended contract will be considered. Electronic publication on the web
21 site of the school district or educational service unit shall satisfy the
22 requirement of this subsection if such electronic publication is
23 prominently displayed and allows the public entire access to such
24 proposed new or amended contract.

25 (3) After any school board or the board of any educational service
26 unit approves a new or amended contract for lobbying services, such board
27 shall publish a copy of such new or amended contract and a reasonable
28 estimate and description of all current and future costs incurred by the
29 school district or educational service unit as a result of such new or
30 amended contract within two days after the meeting of the board at which
31 such new or amended contract was approved. Electronic publication on the

1 web site of the school district or educational service unit shall satisfy
2 the requirement of this subsection if such electronic publication is
3 prominently displayed and allows the public access to such new or amended
4 contract in its entirety.

5 Sec. 4. (1) After approval of a new or amended contract for
6 lobbying services pursuant to section 3 of this act, the approving school
7 board or board of the educational service unit shall file a copy of such
8 new or amended contract with the State Department of Education on or
9 before the next succeeding August 1. The department shall have no duty to
10 review such new or amended contract, but shall publicly post such new or
11 amended contract on its web site.

12 (2) If the school board of any school district or the board of any
13 educational service unit fails to timely file a copy of an approved new
14 or amended contract for lobbying services with the State Department of
15 Education as required in subsection (1) of this section, the Commissioner
16 of Education, after notice to the board president and either the
17 superintendent or educational service unit administrator, and after an
18 opportunity for such school district or educational service unit
19 representatives to be heard, shall direct that any state aid granted
20 pursuant to the Tax Equity and Educational Opportunities Support Act to
21 the school district or core services and technology infrastructure funds
22 granted pursuant to section 79-1241.03 to the educational service unit be
23 withheld until such time as the new or amended contract is received by
24 the department. In addition, the commissioner shall direct each county
25 treasurer of a county with territory in the school district or
26 educational service unit to withhold all money belonging to the school
27 district or educational service unit until such time as the commissioner
28 notifies such county treasurer of receipt of such new or amended
29 contract. Each such county treasurer shall withhold such money as
30 directed. If the board does not comply with this section prior to October
31 1 following the school fiscal year for which the state aid or core

1 services and technology infrastructure funding was calculated, the funds
2 shall revert to the General Fund. The amount of any reverted funds shall
3 be included in data provided to the Governor, the Appropriations
4 Committee of the Legislature, and the Education Committee of the
5 Legislature in accordance with section 79-1031.

6 Sec. 5. Nothing in the Education Lobbyist Pay Transparency Act
7 shall be construed to abrogate or alter any requirements of the Nebraska
8 Political Accountability and Disclosure Act.