



Hundredth Legislature - First Session - 2007
Introducer's Statement of Intent
LB 464

Chairperson: Ray Aguilar
Committee: Government, Military and Veterans Affairs
Date of Hearing: February 8, 2007

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

This bill removes criminal enforcement of the Political Accountability and Disclosure Act from the Accountability and Disclosure Commission and places it with the Attorney General, and grants concurrent jurisdiction with the county attorney of the county in which a violation of the Act occurs.

The Commission retains only civil enforcement authority (section 5).

Whenever the Commission believes criminal prosecution may be warranted, referral is to be made to the Attorney General who shall advise the Commission in writing whether or not prosecution is to be undertaken. Neither the Commission's referral nor the Attorney General's response is subject to the confidentiality provisions of sections 49-14,124.01.

Additionally, LB 464 clarifies that the general law regarding the making of false statements, found in the criminal code, does not apply to false statements made in various documents required to be filed pursuant to the Campaign Finance Limitation Act or the Nebraska Political Accountability and Disclosure Act.

Under the criminal code, the highest level of offense is a Class I misdemeanor. Under the election laws, making false statements in specified circumstances is punished as a Class IV felony. This is so because the corruption or undermining of the election process is so grave and destructive of the democratic process, itself. [See: sections 49-14,134 and 32-1607(4).]

Principal Introducer: _____
Senator Ernie Chambers