

LEGISLATURE OF NEBRASKA

ONE HUNDRED SECOND LEGISLATURE

FIRST SESSION

LEGISLATIVE BILL 419

Introduced by Nelson, 6.

Read first time January 13, 2011

Committee: Government, Military and Veterans Affairs

A BILL

1 FOR AN ACT relating to the Nebraska Political Accountability and
2 Disclosure Act; to amend section 49-1478, Reissue Revised
3 Statutes of Nebraska; to change restrictions on
4 expenditures as prescribed; to eliminate certain reports;
5 and to repeal the original section.
6 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 49-1478, Reissue Revised Statutes of
2 Nebraska, is amended to read:

3 49-1478 (1) An expenditure shall not be made, other than
4 for overhead or normal operating expenses, by an agent or an
5 independent contractor, including an advertising agency, on behalf of
6 or for the benefit of a person unless the expenditure is ~~reported by~~
7 ~~the committee as if the expenditure were made directly by the~~
8 ~~committee, or unless the agent or independent contractor files an~~
9 ~~agent's expenditure report as provided in subsection (3) of this~~
10 ~~section. The agent or independent contractor shall make known to the~~
11 ~~committee all information required to be reported by~~ made with the
12 consent of the committee. Any person violating this subsection shall
13 be guilty of a Class III misdemeanor.

14 (2) An expenditure shall not be made, other than for
15 overhead or normal operating expenses, by a person gathering petition
16 signatures on behalf of or for the benefit of a person, including a
17 ballot question committee, unless the expenditure is ~~reported by the~~
18 ~~ballot question committee as if the expenditure were made directly by~~
19 ~~the committee, or unless the person gathering petition signatures~~
20 ~~files an agent's expenditure report as provided in subsection (3) of~~
21 ~~this section. The person gathering petition signatures shall make~~
22 ~~known to the committee all information required to be reported by~~
23 made with the consent of the ballot question committee. For purposes
24 of this ~~section, subsection,~~ petition signature means a signature
25 affixed to a petition for the purpose of qualifying a ballot question

1 to appear on a ballot. Any person violating this subsection shall be
2 guilty of a Class III misdemeanor.

3 ~~(3) A person gathering petition signatures, an agent, or~~
4 ~~an independent contractor who is required to file an agent's report~~
5 ~~shall file a separate agent's report for each person on whose behalf~~
6 ~~an expenditure is made. An agent's report shall be filed with the~~
7 ~~commission within ten days after the end of the calendar month in~~
8 ~~which the expenditure is made. An agent's report shall include:~~

9 ~~(a) The name, permanent address, temporary address,~~
10 ~~permanent telephone number, and temporary telephone number of the~~
11 ~~person making expenditures for the purpose of gathering signatures,~~
12 ~~the agent, or the independent contractor;~~

13 ~~(b) The name, address, and telephone number of the person~~
14 ~~on whose behalf the expenditure is made;~~

15 ~~(c) The name, permanent address, and temporary address of~~
16 ~~the person to whom the expenditure is made, except that if the~~
17 ~~expenditure is solely for the services of an individual circulating~~
18 ~~petitions, such individual's name and address shall not be included;~~

19 ~~(d) The date and amount of each expenditure; and~~

20 ~~(e) A description of the goods or services purchased and~~
21 ~~the purpose of the goods or services.~~

22 ~~(4) A person required to report under subsection (3) of~~
23 ~~this section shall include in the report the total amount paid to~~
24 ~~individual petition circulators during the reporting period but shall~~
25 ~~not include the name, address, or telephone number of any individual~~

1 ~~petition circulator if the only payment made to such individual was~~
2 ~~for services as a petition circulator.~~

3 Sec. 2. Original section 49-1478, Reissue Revised
4 Statutes of Nebraska, is repealed.