

May 20, 1983

LB 370

time to draw up these amendments we needed to move the bill at that time. You will recall that LB 370 deals with the conflict of interest statutes in cities and counties. It was reported out of the Government and Military Affairs Committee. It establishes a principle of full disclosure by segregating public records that disclose the contract, the date, the amount, and the nature of interests that elected and appointed officials may have with the business of that political subdivision. It is a high priority for the County Officials Association and I was approached on Select File by both the school boards and the Natural Resources Districts to include them in this new concept. That is basically what the amendments to 370 strive to do. They utilize this same concept that we have moved up to Final Reading but we have applied it to school boards and to Natural Resources Districts. I should also say that the same principle that we enunciated for cities and counties we also enunciate for these political subdivisions in that they may establish for themselves maximum amounts of contracts in which parties or members of the boards may not be interested over and above so that that power exists, and whether or not such a resolution or an act is passed, they will still have to continue to comply with the full disclosure provision. Additional changes include these: It makes specific provision for open accounts. For example, you had a small drug store or bakery that oftentimes city employees buy some donuts from. All you do in that case is you establish the fact that you opened the contract, a charge account, if you will, and that is entered into the record and then as you go through the monthly billing cycle, you can lump sum those small payments into one report based on the monthly payment to satisfy the interest of an open account. Additionally we have drawn from the Accountability and Disclosure Statutes to permit members of the public to bring lawsuits in the event there is a violation of this act and that language is currently in law for the A & D statutes. This makes that same right of the public to prevail in cases in which there would be a violation of the conflict of interest statutes that we would be passing here. The last change is that it differentiates between knowing and unknowing or, rather, knowing and negligent violations of the law. Knowing violations of this law will be a felony. Unknowing violations or negligent violations, rather, will be misdemeanors. I would move the adoption of the amendments to LB 370.

PRESIDENT: The motion is to return the bill to Select File for the specific amendment. Is there anyone else who wishes to be recognized on this motion. If not, the motion is to return the bill for the amendment. All those in favor vote aye, opposed vote no. We are voting on the proposal to return