

TRANSCRIPT PREPARED BY THE CLERK OF THE LEGISLATURE
Transcriber's Office

March 1, 1999 LB 417, 578

before us is the advancement of LB 417. Those in favor vote aye, those opposed nay. Have you all voted? Record, Mr. Clerk.

ASSISTANT CLERK: 27 ayes, 13 nays on the motion to advance the bill, Mr. President.

PRESIDENT MAURSTAD: LB 417 is advanced to Enrollment and Review Initial. Before we proceed, Senator Engel would like to announce the following guests are visiting the Legislature: 18 fourth graders from St. Michael's School, in South Sioux City, and their teacher (introduced teacher). They're in the north balcony. If you would rise, we'd like to recognize you and welcome you to the Nebraska Legislature. Mr. Clerk, LB 578.

ASSISTANT CLERK: LB 578 was introduced by Senators Janssen and Schimek. (Read title.) The bill was read for the first time on January 19th, referred to the Government, Military, and Veterans Affairs Committee. That committee reports the bill to General File with no committee amendments, Mr. President.

PRESIDENT MAURSTAD: Thank you, Mr. Clerk. Chair recognizes Senator Janssen to open on LB 578.

SENATOR JANSSEN: Thank you, Mr. Lieutenant Governor and members of the Legislature. LB 578 is intended to give the Accountability and Disclosure Commission the ability to make better use of its resources in the area of complaints and investigations. It does it in two ways; first, it gives the commission the ability to dismiss complaints at an early stage of the process when there is no basis for believing that there has been a violation. Under the current law, when the commission receives a complaint which alleges a violation of the Accountability and Disclosure Act, it must be investigated, no matter what. This is true, even if the complaint is unable to articulate any basis for believing that a violation has occurred. In order for any complaint to be valid, under LB 578, the complaint must first state the basis for believing that there has been a violation. Second, it requires the commission to determine if there is a basis for believing that a matter could be successfully prosecuted before it's required to hold an evidentiary hearing. Currently, if the commission finds a