

## LEGISLATIVE BILL 399

Approved by the Governor June 1, 1995

Introduced by Brashear, 4; Abboud, 12; Avery, 3; Beutler, 28; Bohlke, 33; Bromm, 23; Brown, 6; Coordsen, 32; Crosby, 29; Cudaback, 36; Day, 19; Dierks, 40; Elmer, 44; Engel, 17; Hartnett, 45; Hillman, 48; Hudkins, 21; Janssen, 15; Jensen, 20; Jones, 43; Kristensen, 37; Lindsay, 9; Lynch, 13; Matzke, 47; Maurstad, 30; McKenzie, 34; Pedersen, 39; Pirsch, 10; Preister, 5; Robinson, 16; Schellpeper, 18; Schimek, 27; Schmitt, 41; Schrock, 38; Stuhr, 24; Vrtiska, 1; Warner, 25; Wehrbein, 2; Wesely, 26; Wickersham, 49; Will, 8; Witek, 31

AN ACT relating to political accountability and disclosure; to amend section 49-1474.01, Reissue Revised Statutes of Nebraska, and section 49-1401, Revised Statutes Supplement, 1994, as amended by section 3, Legislative Bill 28, Ninety-fourth Legislature, First Session, 1995; to change a disclaimer requirement for printed political material; to provide restrictions on loans; to provide a penalty; to harmonize provisions; to repeal the original sections; and to declare an emergency.

Be it enacted by the people of the State of Nebraska,

Section 1. Section 49-1401, Revised Statutes Supplement, 1994, as amended by section 3, Legislative Bill 28, Ninety-fourth Legislature, First Session, 1995, is amended to read:

49-1401. Sections 49-1401 to 49-14,140 and sections 4 to 6 of this act and section 2 of this act shall be known and may be cited as the Nebraska Political Accountability and Disclosure Act. Any reference to sections 49-1401 to 49-14,138 shall be construed to include sections 49-1499.01 and 49-14,103.01 to 49-14,103.07. After August 25, 1989, any reference to sections 49-1401 to 49-14,138 shall be construed to include sections 49-14,123.01 and 49-14,140.

Sec. 2. (1) Beginning on the effective date of this act, a candidate committee shall not accept more than fifteen thousand dollars in loans prior to or during the first thirty days after formation of the candidate committee. After such thirty-day period and until the end of the term of the office to which the candidate sought nomination or election, the candidate committee shall not accept loans in an aggregate amount of more than fifty percent of the contributions of money, other than the proceeds of loans, which the candidate committee has received during such period as of the date of the receipt of the proceeds of the loan. A candidate committee shall not pay interest, fees, gratuities, or other sums in consideration of a loan, advance, or other extension of credit to the candidate committee by the candidate, a member of the candidate's immediate family, or any business with which the candidate is associated.

(2) The penalty for violation of this section shall be a civil penalty of not less than two hundred fifty dollars and not more than the amount of money received by a candidate committee in violation of this section. The commission shall assess and collect the civil penalty and remit the penalty to the State Treasurer for credit to the permanent school fund.

Sec. 3. Section 49-1474.01, Reissue Revised Statutes of Nebraska, is amended to read:

49-1474.01. (1) The person, except an individual or individuals acting independently utilizing their own personal resources, who pays for the production, distribution, or posting of a billboard, placard, poster, pamphlet, or other printed matter relating to a candidate or ballot question shall cause a disclaimer containing the name and street address of the person to appear on such matter. The person who pays for a radio or television advertisement relating to a candidate or ballot question shall cause a disclaimer containing the name of such person to be included in the advertisement, and the radio or television station shall, for a period of at least six months, keep the street address of such person on file and divulge it to any person upon request.

(2) The size and placement of the disclaimer shall be determined by rules and regulations adopted and promulgated by the commission. The rules and regulations shall exempt from the disclaimer required by this section windshield stickers, yard signs, bumper stickers, campaign buttons, and balloons and may also exempt other items relating to a candidate or committee which are printed or reproduced at the request of such candidate or committee.

(3) Any person who knowingly violates the provisions of this section shall be guilty of a Class IV misdemeanor.

Sec. 4. Original section 49-1474.01, Reissue Revised Statutes of Nebraska, and section 49-1401, Revised Statutes Supplement, 1994, as amended by section 3, Legislative Bill 28, Ninety-fourth Legislature, First Session, 1995, are repealed.

Sec. 5. Since an emergency exists, this act takes effect when passed and approved according to law.