

**ONE HUNDRED FIRST LEGISLATURE - FIRST SESSION - 2009**  
**COMMITTEE STATEMENT**  
**LB322**

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**Hearing Date:** Thursday January 29, 2009  
**Committee On:** Government, Military and Veterans Affairs  
**Introducer:** Avery  
**One Liner:** Prohibit nepotism and supervision of family members by executive branch officials and employees

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**Roll Call Vote - Final Committee Action:**  
Advanced to General File

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**Vote Results:**  
**Aye:** 8 Senators Avery, Giese, Janssen, Karpisek, Pahls, Pirsch, Price, Sullivan  
**Nay:**  
**Absent:**  
**Present Not Voting:**

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<b>Proponents:</b>	<b>Representing:</b>
Senator Bill Avery	Introducer
Carlos Castillo	Department of Administrative Services
Frank Daley	Nebraska Accountability and Disclosure Commission
Ron Withem	University of Nebraska

<b>Opponents:</b>	<b>Representing:</b>
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<b>Neutral:</b>	<b>Representing:</b>
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**Summary of purpose and/or changes:**

LB 322 prohibits an official or employee in the executive branch from engaging in nepotism and from acting as a supervisor to his or her family member. The head of an agency may grant an exception from the prohibition of nepotism or supervision of a family member upon a showing of good cause.

An executive branch employee or official who becomes a supervisor to his or her family member other than by nepotism, will notify the head of the agency within seven days of becoming aware of the situation.

Any person violating these provisions will be subject to disciplinary action, in addition to other penalties authorized under the Nebraska Political Accountability and Disclosure Act.

Family member is defined as an individual who is the spouse, child, parent, brother, sister, grandchild, or grandparent, by blood, marriage or adoption, of an executive branch official or employee.

Nepotism is defined as the act of hiring, promoting or advancing a family member in state government or recommending the hiring, promotion or advancement of a family member in state government.

Supervisor is defined as an individual having authority to hire, transfer, suspend, promote, or discipline employees, and the responsibility to direct them or to adjust their grievances, if the exercise is not merely of a routine or clerical nature.

Section 49-1499.01 dealing with the prohibition of executive branch officials and employees employing immediate family

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members is outright repealed.

The bill also provides that the legislature intends the legislative and judicial branch of state government to implement policies regarding nepotism and supervision of a family member.

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Bill Avery, Chairperson