

AMENDMENTS TO LB996

Introduced by Hilgers, 21.

1           1. Insert the following new section:

2           Section 1. Section 49-14,101.03, Reissue Revised Statutes of  
3 Nebraska, is amended to read:

4           49-14,101.03 (1) Any use of public resources by a public official or  
5 public employee which is incidental or de minimis shall not constitute a  
6 violation of section 49-14,101.01 or 49-14,101.02.

7           (2) For purposes of sections 49-14,101.01 and 49-14,101.02, a  
8 resource of government, including a vehicle, shall not be considered a  
9 public resource and personal use shall not be prohibited if (a) the use  
10 of the resource for personal purposes is part of the public official's or  
11 public employee's compensation provided in an employment contract or a  
12 written policy approved by a government body and (b) the personal use of  
13 the resource as compensation is reported in accordance with the Internal  
14 Revenue Code of 1986, as amended, and taxes, if any, are paid. If  
15 authorized by the contract or policy, the resource may be used whether or  
16 not the public official or public employee is engaged in the duties of  
17 his or her public office or public employment.

18           (3) Use of a government vehicle by a public official or public  
19 employee to travel to a designated location or the home of the public  
20 official or public employee is permissible when the primary purpose of  
21 the travel serves a government purpose and the use is pursuant to a  
22 written policy approved by a government body.

23           (4) Use of a government Internet network by a member of the  
24 Legislature for essential personal business is permissible when the  
25 member is serving in the member's official capacity and such use is  
26 pursuant to a written policy approved by the Executive Board of the  
27 Legislative Council.

1           (5) ~~(4)~~ Pursuant to a collective-bargaining agreement, a public  
2 facility may be used by a bargaining unit to meet regarding activities of  
3 the union or bargaining unit. This section shall not authorize the use of  
4 public resources for the purpose of campaigning for or against the  
5 nomination or election of a candidate or the qualification, passage, or  
6 defeat of a ballot question.

7           (6) ~~(5)~~ Nothing in the Nebraska Political Accountability and  
8 Disclosure Act prohibits a public official or public employee from using  
9 his or her personal cellular telephone, electronic handheld device, or  
10 computer to access a wireless network to which access is provided to the  
11 public by a government body.

12           2. Renumber the remaining sections and correct internal references  
13 and the repealer accordingly.