

LEGISLATURE OF NEBRASKA
ONE HUNDRED SECOND LEGISLATURE
SECOND SESSION
LEGISLATIVE BILL 755

Introduced by Avery, 28.

Read first time January 04, 2012

Committee: Government, Military and Veterans Affairs

A BILL

1 FOR AN ACT relating to the Legislature; to amend section 49-1499,
2 Reissue Revised Statutes of Nebraska; to require reports
3 regarding potential conflicts of interest; and to repeal
4 the original section.
5 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 49-1499, Reissue Revised Statutes of
2 Nebraska, is amended to read:

3 49-1499 (1) A member of the Legislature who would be
4 required to take any action or make any decision in the discharge of
5 his or her official duties that may cause financial benefit or
6 detriment to him or her, a member of his or her immediate family, or
7 a business with which he or she is associated, which is
8 distinguishable from the effects of such action on the public
9 generally or a broad segment of the public, shall take the following
10 actions as soon as he or she is aware of such potential conflict or
11 should reasonably be aware of such potential conflict, whichever is
12 sooner:

13 (a) Prepare a written statement describing the matter
14 requiring action or decision and the nature of the potential
15 conflict, and if he or she will not abstain from voting,
16 deliberating, or taking other action on the matter, the statement
17 shall state why, despite the potential conflict, he or she intends to
18 vote or otherwise participate; and

19 (b) Deliver a copy of the statement to the commission and
20 to the Speaker of the Legislature who shall cause the statement to be
21 filed with the Clerk of the Legislature to be held as a matter of
22 public record.

23 (2) Within a reasonable amount of time after receipt of
24 the statement, the commission shall file a report with the Clerk of
25 the Legislature which states whether the member of the Legislature

1 has a conflict of interest as described in subsection (1) of this
2 section. The Clerk of the Legislature shall enter an acknowledgment
3 of the report in the Legislative Journal.

4 ~~(2)~~(3) Nothing in this section shall prohibit any member
5 of the Legislature from voting, deliberating, or taking other action
6 on any matter that comes before the Legislature.

7 ~~(3)~~(4) The member of the Legislature may abstain from
8 voting, deliberating, or taking other action on the matter on which
9 the potential conflict exists. He or she may have the reasons for the
10 abstention recorded in the Legislative Journal.

11 Sec. 2. Original section 49-1499, Reissue Revised
12 Statutes of Nebraska, is repealed.