

Approved: 2-11-98  
Date

MINUTES OF THE SENATE ELECTIONS AND LOCAL GOVERNMENT COMMITTEE.

The meeting was called to order by Chairman Janice Hardenburger at 1:30 p.m. on February 9, 1998 in Room 529-S of the Capitol.

All members were present:

Committee staff present: Dennis Hodgins, Legislative Research Department  
Mike Heim, Legislative Research Department  
Theresa Kiernan, Revisor of Statutes  
Graceanna Wood, Committee Secretary

Conferee appearing before the committee: None

Others attending: See attached list

Chairman Hardenburger asked for approval of the minutes of February 4 and February 5, 1998.

Senator Becker moved that the minutes be approved, seconded by Senator Huelskamp. Motion carried.

Chairman Hardenburger opened the Committee meeting on SB 452 concerning conspiracy violations of the campaign finance act and SB 453 concerning conspiracy violations of the government ethics act. A motion was made by Senator Becker, seconded by Senator Steineger to delete lines 30 and 31 from SB 452 and lines 28 and 29 from SB 453. Motion carried. Staff advised this would delete the criminal penalty and would be subject to civil penalty.

The Committee further discussed the definition of "conspiracy". The Committee further discussed bringing the penalty to the level of Class A misdemeanor in both bills.

Chairman continued hearings on SB 430. The Committee discussed additional amendments to the bill. (Attachment #1)

The Committee discussed independent expenditures and in-kind contributions in the bill. The amendment to the bill defined an independent expenditure and clearly identified candidate.

Chairman informed the Committee that further discussion on SB 430, SB 452 and SB 453 would be continued tomorrow.

Meeting was adjourned at 2:30 p.m.

Next meeting will be at 1:30 p.m. February 10, 1998.



(8) the name and address of each candidate, clearly identified, for state or local office for whom an expenditure in the form of an in-kind contribution or independent expenditure has been made in an aggregate amount or value in excess of \$100 with the amount date and purpose of each. The provisions of this subsection shall apply only to political committees and party committees.

(9) the name and address of each person from whom an in-kind contribution was received or who has paid for personal services provided without charge to or for any candidate, candidate committee, party committee or political committee, if the contribution is in excess of \$100 and is not otherwise reported under subsection (b) (7), and the amount, date and purpose of the contribution.

*“Clearly identified” means that - (A) the name of the candidate involved appears  
(B) a photograph or drawing of the candidate appears; or  
(C) the identity of the candidate is apparent by unambiguous  
reference.*

*“Independent expenditure” means - an expenditure by a person expressly advocating the election or defeat of a clearly identified candidate which is made without cooperation or consultation with any candidate, or any authorized committee or agent of such candidate, and which is not made in concert with, or at the request or suggestion of, any candidate, or any authorized committee or agent of such candidate.*

**Elec. & Local Gov.**

**Date:** 2-9-98

**Attachment:** # 1