

Agency 087 - ACCOUNTABILITY & DISCLOSURE COMM

STATUTORY AUTHORITY:

The Nebraska Political Accountability and Disclosure Act (NPADA) was passed in 1976 and became effective in 1977. See sections 49-1401 through 49-14,141 of the Nebraska Revised Statutes. The NPADA created the Nebraska Accountability and Disclosure Commission. The Commission is charged with the administration and enforcement of the State's campaign finance disclosure laws, its lobbying laws and its conflict of interest laws.

In 1992 the Legislature enacted the Campaign Finance Limitation Act (CFLA). See sections 32-1601 through 32-1613 of the Nebraska Revised Statutes. Pursuant to the CFLA, candidates for certain public offices who agree to abide by voluntary spending limits may become eligible for public funds for use in their campaigns.

VISION:

The vision of the Accountability and Disclosure Commission is to advance integrity in the electoral process and in state and local government through disclosure and accountability.

MISSION AND PRINCIPLES:

The mission of the Nebraska Accountability and Disclosure Commission is to administer and enforce the Nebraska Political Accountability and Disclosure Act and the Campaign Finance Limitation Act. There are four principles which guide this process. See Supporting Information for a statement of these principles.

GOALS:

Goal 1: Program 94 Campaign Activity: To ensure that campaign finance information is readily available to the public.

Goal 2: Program 94 Conflicts of Interest: To administer a process that encourages public officials and public employees to seek advice and publicly disclose conflicts of interest and thus promote making independent and impartial governmental decisions and policies.

Goal 3: Program 94 Lobbying: To provide information to the public of the identity of lobbyists and their principals including the disclosure of the receipts and expenditures of lobbyists and principals.

Goal 4: Program 95 Campaign Financing: To provide public funds to candidates who meet statutory requirements.

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Financial Data

	FY10 Actual	FY11 Approp	FY12 Request	FY12 Recomm	FY13 Request	FY13 Recomm
Operations Funding						
General Fund	367,179	410,932	410,932	371,814	410,932	377,548
Cash Fund	168,727	160,042	160,042	161,509	160,042	164,302
Federal Fund	0	0	0	0	0	0
Revolving Fund	0	0	0	0	0	0
Other Fund	0	0	0	0	0	0
Total Operations Funding	535,906	570,974	570,974	533,323	570,974	541,850
Aid Funding						
General Fund	0	0	0	0	0	0
Cash Fund	0	921,407	832,132	832,132	915,832	915,832
Federal Fund	0	0	0	0	0	0
Revolving Fund	0	0	0	0	0	0
Other Fund	0	0	0	0	0	0
Total Aid Funding	0	921,407	832,132	832,132	915,832	915,832
Total Funding						
General Fund	367,179	410,932	410,932	371,814	410,932	377,548
Cash Fund	168,727	1,081,449	992,174	993,641	1,075,874	1,080,134
Federal Fund	0	0	0	0	0	0
Revolving Fund	0	0	0	0	0	0
Other Fund	0	0	0	0	0	0
Total Agency	535,906	1,492,381	1,403,106	1,365,455	1,486,806	1,457,682

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Program 094 - ADMINISTRATION

PROGRAM DESCRIPTION:

The NPADA provides for the administration and enforcement of Nebraska's laws on campaign finance disclosure, conflict of interest, and lobbying activity.

Objective of the campaign finance category is to collect information on the financing of political campaigns from candidates and others and to make the information available to the public. Objective of the conflicts of interest category is to provide information to public officials and public employees so that they can properly address and disclose potential conflicts of interest. Objective of the lobbying activity category is to promote openness in the legislative process by collecting information from lobbyists and principals and making this information available to the public.

PROGRAM OBJECTIVES:

---To provide for a system of public disclosure of candidates, political committees and others who participate in political campaigns.

---To provide for a system of public disclosure for the activities of lobbyists and their principals.

---To provide for a system of public disclosure that ensures that actions of public officials and employees are independent and impartial.

---To provide for a system of public disclosure of personal financial interests and potential conflicts of interests of public officials and employees.

PERFORMANCE MEASURES:

Performance measures of state agencies are typically based upon work output or volume of reports filed. This is not a useful measure. The number of reports filed changes each year depending upon whether it is an election year and upon whether it is a gubernatorial election year. A year to year comparison of the number of reports filed does not show the level of compliance with NPADA. A better measure is to compare the number of reports timely filed to the number of reports filed late and compute the percent of variance. While this is more a measure of the performance of the filers than of the agency, it may provide anecdotal information on the effectiveness of the Commission's instructional materials.

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Agency 087 - ACCOUNTABILITY & DISCLOSURE COMM
Program 095 - CAMPAIGN FINANCE LIMITATION AC

PROGRAM DESCRIPTION:

The Campaign Finance Limitation Act provides for voluntary limitations on campaign expenditures by candidates for certain offices. A candidate who agrees to abide by voluntary spending limits may become eligible for public funds from the CFLA Cash Fund for campaign use.

The fund consists of late fees and civil penalties paid to the Commission for violations. It includes Nebraska income tax check-offs and donations. The CFLA provides for a regular adjustment to the voluntary spending limits based upon the Consumer Price Index.

Public campaign funds in the amount of \$530,779.00 have been distributed since 2000.

The distribution of public funds for the 2010 general election begins on September 7, 2010.

PROGRAM OBJECTIVES:

---To help control the rapidly escalating costs of running political campaigns for constitutional offices, legislative seats and seats on constitutionally created boards.

---To increase the number of qualified candidates able to run for statewide office.

---To decrease candidates' reliance on contributions from special interest organizations by providing public funds to assist in financing campaigns.

PERFORMANCE MEASURES:

The development of performance measures in this program is problematic. The number of candidates participating in the program (either as abiding candidates or non-abiding candidates) is expected to vary significantly. Typically, there are more candidates in a gubernatorial election year (in which candidates for Attorney General, Auditor of Public Accounts, Secretary of State and State Treasurer also seek office). The amount of public funds distributed is not a useful measure since no public funds are distributed in races in which all candidates abide by voluntary spending limits or races in which all candidates decline to abide by voluntary spending limits.

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