

ONE HUNDRED FOURTH LEGISLATURE - FIRST SESSION - 2015
COMMITTEE STATEMENT (CORRECTED)
LB539

Hearing Date: Friday February 06, 2015
Committee On: Government, Military and Veterans Affairs
Introducer: Watermeier
One Liner: Change provisions relating to the office of Legislative Audit and the Auditor of Public Accounts

Roll Call Vote - Final Committee Action:
Advanced to General File with amendment(s)

Vote Results:

Aye: 8 Senators Bloomfield, Craighead, Garrett, Groene, Hansen, Larson, McCoy, Murante
Nay:
Absent:
Present Not Voting:

Verbal Testimony:

Proponents:

Senator Dan Watermeier
Lance Lambdin
Russ Karpisek
Laura McCormick

Representing:

Introducer
Nebraska Auditor of Public Accounts
Nebraska Auditor of Public Accounts
Self

Opponents:

Representing:

Neutral:

Representing:

Summary of purpose and/or changes:

LB 539 would change provisions to allow the office of Legislative Audit and the Auditor of Public Accounts access, upon written receipt, within three business days to privileged communication of any agency, public entity, unless denied such access by federal law.

LB 539 lays out the procedure should the request not be able to be filled in three business days due to extenuating circumstances

The bill also outlines penalties for failure or refusal to comply with the request.

Finally, the bill states that the Auditor of Public Accounts may decide not to make the names of those providing information public.

Explanation of amendments:

LB 539 was amended to add language from LB 503 stating the Auditor of Public Accounts may issue subpoenas to compel the attendance of witnesses and the production of any papers, books, accounts, documents, testimony and may

depose witnesses. Should a person refuse to comply with any subpoena, a court order may be requested.

The amendment includes language from LB 552 which states the Auditor of Public Accounts or his designee may, but is not required to prepare a written review of all audit, accounting, or financial reports or a political subdivision, including public retirement system plan reports.

The amendment clarifies that it will continue to be optional for the Auditor to prepare a written review of the public retirement system plan reports that must be submitted to the Auditor and to the Nebraska Retirement Systems Committee if a political subdivision's defined benefit plan is underfunded.

Finally, the bill is amended with language from LB 487 to allow the Auditor of Public Accounts to examine the books, accounts, vouchers, records, and expenditures of any service contractor or subrecipient of state or federal funds.

The amendment defines service contractor or subrecipient as any entity that expends state or federal funds to carry out a state or federal program or function.

John Murante, Chairperson