

ONE HUNDRED THIRD LEGISLATURE - SECOND SESSION - 2014
COMMITTEE STATEMENT (CORRECTED)
LB371

Hearing Date: Friday February 08, 2013
Committee On: Government, Military and Veterans Affairs
Introducer: Mello
One Liner: Adopt the Transparency in Government Procurement Act

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

Vote Results:

Aye: 8 Senators Avery, Bloomfield, Karpisek, Lautenbaugh, Murante, Price, Scheer, Wallman

Nay:

Absent:

Present Not Voting:

Proponents:

Senator Heath Mello
Steven Wolf
Lawrence DeSouza
Ken Mass
R. Brec Wilshusen

Representing:

Introducer
Self
Veterans in Business Forum
Nebraska State AFL-CIO
Veterans in Business Forum

Opponents:

Randall Peters
Bo Botelho
Kerry Winterer
Patrick Cole

Representing:

Nebraska Department of Roads
Department of Administrative Services
Department of Health and Human Services
Nebraska Game and Parks Commission

Neutral:

Representing:

Summary of purpose and/or changes:

LB 371 creates the Transparency in Government Procurement Act. The Legislature declares it will be the policy of this state that each agency will quantify the portion of its procurement spending that is reinvested with taxpayers in this state and the nation.

The bill requires each state agency to create an annual report that includes the following:

the total number and value of contracts awarded by the agency;

the total number and value of contracts and subcontracts awarded to contractors or suppliers within the state and to foreign contractors;

the dollar value of any supplies purchased that were manufactured outside of the United States and within the state;

the dollar value of any services contracted for that were performed outside the United States and within the state;

an itemized list of all waivers of any preference provided for by the state; and

the total procurement value of funds expended on iron, steel, or manufactured goods manufactured outside the United States.

The first report will be submitted to the Governor and the Legislature on or before December 31, 2013 and use information from FY2012-13. Subsequent reports will be submitted on or before December 31 and will include information from the immediately preceding year.

The bill outlines when a product will be deemed to be manufactured in the US and defines state agency.

Finally, the bill requires that contractors and suppliers provide to the agency any and all information needed for the agency to comply with these provisions.

Explanation of amendments:

The amendment strikes the original sections of the bill and replaces them with the following provisions:

Like the original bill, the amendment creates the Transparency in Government Procurement Act. The Act will only apply to contracts awarded by the Department of Administrative Services on and after July 1, 2013.

With the amendment, the Department of Administrative Services (DAS) will create an annual report that includes the total number and value of contracts awarded by the department. The report will also include the total number and value of contracts awarded by DAS within the state and to foreign contractors. Finally, the report will include the number of contracts awarded by the department for which a preference was given.

The amendment eliminates all references to subcontractors and suppliers. With this change, only contracts will be included in the report from DAS.

The report will be submitted to the Governor and the Legislature on or before September 1 of each year. The first report will be submitted on September 1, 2014.

Beginning on July 1, 2013, each contract awarded by DAS will require that the contractors provide the department any and all information needed for compliance with this bill.

Bill Avery, Chairperson