

AMENDMENTS TO LB 429

Introduced by Government, Military and Veterans Affairs

1 1. Strike the original sections and insert the following
2 new sections:

3 Section 1. Section 84-602, Revised Statutes Cumulative
4 Supplement, 2012, is amended to read:

5 84-602 It shall be the duty of the State Treasurer:

6 (1) To receive and keep all money of the state not
7 expressly required to be received and kept by some other person;

8 (2) To disburse the public money upon warrants drawn upon
9 the state treasury according to law and not otherwise;

10 (3) To keep a just, true, and comprehensive account of
11 all money received and disbursed;

12 (4) To keep a just account with each fund, and each head
13 of appropriation made by law, and the warrants drawn against them;

14 (5) To render a full statement to the Department of
15 Administrative Services of all money received by him or her from
16 whatever source, and if on account of revenue, for what year;
17 of all penalties and interest on delinquent taxes reported or
18 accounted for to him or her, and of all disbursements of public
19 funds; with a list, in numerical order, of all warrants redeemed,
20 the name of the payee, amount, interest, and total amount allowed
21 thereon, and with the amount of the balance of the several funds
22 unexpended; which statement shall be made on the first day of
23 December, March, June, and September, and more often if required;

1 (6) To report electronically to the Legislature as soon
2 as practicable, but within ten days after the commencement of
3 each regular session, a detailed statement of the condition of the
4 treasury and its operations for the preceding fiscal year;

5 (7) To give information electronically to the
6 Legislature, whenever required, upon any subject connected with the
7 treasury or touching any duty of his or her office;

8 (8) To account for, and pay over, all money received by
9 him or her as such treasurer, to his or her successor in office,
10 and deliver all books, vouchers, and effects of office to him or
11 her; and such successor shall receipt therefor. In accounting for
12 and paying over such money the treasurer shall not be held liable
13 on account of any loss occasioned by any investment, when such
14 investment shall have been made pursuant to the direction of the
15 state investment officer; and

16 (9) To develop and maintain a single, searchable web
17 site with information on state tax receipts, and expenditures, and
18 contracts which is accessible by the public at no cost to access
19 as provided in section 84-602.02. The web site shall be hosted on
20 a server owned and operated by the State of Nebraska or approved
21 by the Chief Information Officer. The naming convention for the
22 web site shall identify the web site as a state government web
23 site. The web site shall not include the treasurer's name, the
24 treasurer's image, the treasurer's seal, or a welcome message.

25 Sec. 2. Section 84-602.02, Revised Statutes Cumulative
26 Supplement, 2012, is amended to read:

27 84-602.02 (1) (a) Not later than January 1, 2010, the web

1 site established, developed, and maintained by the State Treasurer
2 pursuant to subdivision (9) of section 84-602 shall provide such
3 information as will document the sources of all tax receipts
4 and the expenditure of state funds by all agencies, boards,
5 commissions, and departments of the state.

6 (b) The State Treasurer shall, in appropriate detail,
7 cause to be published on the web site:

8 (i) The identity, principal location, and amount of funds
9 received or expended by the State of Nebraska and all of its
10 agencies, boards, commissions, and departments;

11 (ii) The funding or expending agency, board, commission,
12 or department;

13 (iii) The budget program source;

14 (iv) The amount, date, purpose, and recipient of all
15 disbursed funds; and

16 (v) Such other relevant information as will further
17 the intent of enhancing the transparency of state government
18 financial operations to its citizens and taxpayers. The web site
19 shall include data for fiscal year 2008-09 and each fiscal year
20 thereafter.

21 (2) Beginning July 1, 2010, the data shall be available
22 on the web site no later than thirty days after the end of the
23 preceding fiscal year.

24 (3)(a) Beginning July 1, 2014, the web site described
25 in this section shall include a link to the web site of the
26 Department of Administrative Services. The department's web site
27 shall contain:

1 (i) A data base that includes a copy of each active
2 contract that is a basis for an expenditure of state funds,
3 including any amendment to such contract and any document
4 incorporated by reference in such contract. For purposes of this
5 subdivision, amendment means an agreement to modify a contract
6 which has been reduced to writing and signed by each party to the
7 contract, an agreement to extend the duration of a contract, or an
8 agreement to renew a contract. The data base shall be accessible by
9 the public and searchable by vendor, by agency, board, commission,
10 or department, and by dollar amount. All agencies, boards,
11 commissions, and departments of the state shall provide to the
12 Department of Administrative Services, in electronic form, copies
13 of such contracts for inclusion in the data base beginning with
14 contracts that are active on and after January 1, 2014; and

15 (ii) A data base that includes copies of all expired
16 contracts which were previously included in the data base described
17 in subdivision (3)(a)(i) of this section. The data base required
18 under this subdivision shall be accessible by the public and
19 searchable by vendor, by agency, board, commission, or department,
20 and by dollar amount.

21 (b) The following shall be redacted from any contract
22 before such contract is included in a data base pursuant to
23 subdivision (3)(a) of this section:

24 (i) The social security number or federal tax
25 identification number of any individual or business;

26 (ii) Protected health information as such term is defined
27 under the federal Health Insurance Portability and Accountability

1 Act of 1996, as such act existed on January 1, 2013;

2 (iii) Any information which may be withheld from the
3 public under section 84-712.05; or

4 (iv) Any information that is confidential under state or
5 federal law, rule, or regulation.

6 (c) Contracts entered into by the Department of Health
7 and Human Services that are letters of agreement for the purpose
8 of providing specific services to a specifically named individual
9 or his or her family shall be exempt from the requirements of
10 subdivision (3)(a) of this section.

11 (d) The Department of Administrative Services shall adopt
12 policies and procedures regarding the creation and maintenance of
13 the data bases required under this section and the process by which
14 agencies, boards, commissions, and departments of the state provide
15 copies of the contracts required under this section.

16 (4) All agencies, boards, commissions, and departments
17 of the state shall provide to the State Treasurer, at such times
18 and in such form as designated by the State Treasurer, such
19 information as is necessary to accomplish the purposes of the
20 Taxpayer Transparency Act.

21 (5) Nothing in this ~~subsection~~ section requires the
22 disclosure of information which is considered confidential under
23 state or federal law or is not a public record under section
24 84-712.05.

25 ~~(3)(a)~~ (6)(a) For purposes of this section, expenditure
26 of state funds means all expenditures of appropriated or
27 nonappropriated funds by an agency, board, commission, or

1 department of the state from the state treasury in forms including,
2 but not limited to:

3 (i) Grants;

4 (ii) Contracts;

5 (iii) Subcontracts;

6 (iv) State aid to political subdivisions; and

7 (v) Tax refunds or credits that may be disclosed

8 pursuant to the Nebraska Advantage Act, the Nebraska Advantage

9 Microenterprise Tax Credit Act, the Nebraska Advantage Research and

10 Development Act, or the Nebraska Advantage Rural Development Act.

11 (b) Expenditure of state funds does not include the

12 transfer of funds between two agencies, boards, commissions, or

13 departments of the state or payments of state or federal assistance

14 to an individual.

15 Sec. 3. Original sections 84-602 and 84-602.02, Revised

16 Statutes Cumulative Supplement, 2012, are repealed.