

LEGISLATURE OF NEBRASKA  
ONE HUNDRED THIRD LEGISLATURE  
SECOND SESSION  
**LEGISLATIVE BILL 371**

Final Reading

(Second)

Introduced by Mello, 5; Karpisek, 32; Krist, 10; Avery, 28; Pirsch,  
4.

Read first time January 18, 2013

Committee: Government, Military and Veterans Affairs

A BILL

- 1 FOR AN ACT relating to state government; to adopt the Transparency in
- 2 Government Procurement Act; and to declare an emergency.
- 3 Be it enacted by the people of the State of Nebraska,

1           Section 1. Sections 1 to 5 of this act shall be known and  
2 may be cited as the Transparency in Government Procurement Act.

3           Sec. 2. (1) The Legislature finds that:

4           (a) Transparency in public procurement is an important  
5 tool to deter corruption and to maintain the public's trust in  
6 government contracting;

7           (b) Taxpayers deserve to know how and where their tax  
8 dollars are being spent;

9           (c) The economy and general welfare of this state and its  
10 people and the economy and general welfare of the United States are  
11 inseparably linked to the preservation and development of  
12 manufacturing industries in this state, as well as all the other  
13 states of this nation; and

14           (d) Recognizing such link, it should be the policy of  
15 this state that, whenever possible, taxpayer dollars be reinvested  
16 with its individual and employer taxpayers in order to foster job  
17 retention and growth and to ensure a broad and healthy tax base for  
18 future investments vital to the state's infrastructure.

19           (2) The Legislature declares that it shall be the policy  
20 of this state that the Department of Administrative Services shall  
21 quantify the portion of its procurement spending that is reinvested  
22 with taxpayers in this state and the nation.

23           Sec. 3. (1) The Department of Administrative Services  
24 shall create an annual report that includes:

25           (a) The total number and value of contracts awarded by

1 the department;

2 (b) The total number and value of contracts awarded by  
3 the department to contractors within this state;

4 (c) The total number and value of contracts awarded by  
5 the department to foreign contractors; and

6 (d) The total number of contracts awarded by the  
7 department for which a preference was given under section 73-101.01.

8 (2) The first such report created pursuant to subsection  
9 (1) of this section shall be submitted to the Governor and the  
10 Legislature on or before September 1, 2015, and shall include the  
11 information specified in such subsection from FY2014-15. Subsequent  
12 reports shall be submitted on or before September 1 each year  
13 thereafter and shall include the required information from the most  
14 recent fiscal year ending prior to such date. The reports submitted  
15 to the Legislature and the Governor shall be submitted  
16 electronically. Each annual report shall be made available to the  
17 public through publication on the department's web site on or before  
18 September 1 of each year.

19 Sec. 4. Beginning on July 1, 2014, each contract awarded  
20 by the Department of Administrative Services shall require that the  
21 contractors provide to the department any and all information needed  
22 for compliance with section 3 of this act.

23 Sec. 5. The Transparency in Government Procurement Act  
24 applies only to contracts awarded by the Department of Administrative  
25 Services on and after July 1, 2014, and does not apply to the Office

1 of the Nebraska Capitol Commission.

2                   Sec. 6. Since an emergency exists, this act takes effect

3 when passed and approved according to law.