

## LEGISLATIVE BILL 298

Approved by the Governor February 24, 1999

Introduced by Schimek, 27; Beutler, 28; Brown, 6; Crosby, 29; Kiel, 9; Lynch, 13; Matzke, 47; D. Pederson, 42; Wehrbein, 2; Engel, 17; Hartnett, 45; Smith, 48; Tyson, 19

AN ACT relating to state government; to require reports of boards, commissions, and similar entities as prescribed; and to provide duties.

Be it enacted by the people of the State of Nebraska,

Section 1. The Legislature finds that state government actions have produced an increase in the numbers of boards, commissions, and similar entities that support, advise, direct, or administer various state programs. The process has evolved without sufficient legislative and executive oversight and without a system of checks and balances. Because the Legislature is responsible for the expenditure of public money and the shaping of the administration of state government and is held accountable for fiscal policy, the Legislature should also be responsible for the termination, continuation, or modification of such boards, commissions, and similar entities so that it may be assured that its directives have been faithfully carried out.

Sec. 2. (1) In each even-numbered year, the Government, Military and Veterans Affairs Committee of the Legislature shall prepare and publish a report pertaining to boards, commissions, and similar entities created by law, by executive order, or by an agency director that are made part of or are placed in the executive branch of state government. The report shall be submitted to the Legislature on December 1 of each even-numbered year.

(2) The report shall include, but not be limited to, the following:

(a) The name of each board, commission, or similar entity;

(b) The name of a parent agency, if any;

(c) The statutory citation, executive order, or other reference to the authorization for the creation of the board, commission, or entity;

(d) The number of members of the board, commission, or entity and how the members are appointed;

(e) The qualifications for membership on the board, commission, or entity;

(f) The number of times the board, commission, or entity is required to meet during the year and the number of times it actually met;

(g) Budget information of the board, commission, or entity for the two most recently completed fiscal years; and

(h) A brief summary of the accomplishments of the board, commission, or entity for the past two years.

Sec. 3. (1) The Government, Military and Veterans Affairs Committee of the Legislature may randomly select and conduct an evaluation of any board, commission, or similar entity. An evaluation conducted by the committee shall include, but not be limited to, the following:

(a) A review of the basic assumptions underlying the creation of the board, commission, or entity;

(b) A statement of the impact and effectiveness of the programs, policies, services, or activities administered by, or under the supervision of, the board, commission, or entity; and

(c) A recommendation as to whether the board, commission, or entity should be terminated, continued, or modified.

(2) If the committee believes that a more extensive program evaluation of a board, commission, or entity is necessary, the chairperson of the committee, on the committee's behalf, may request the Legislative Program Evaluation Committee to conduct a program evaluation pursuant to the Legislative Program Evaluation Act. Nothing in this section shall be construed to give requests for program evaluations under this section priority over other requests under consideration by the Legislative Program Evaluation Committee.

Sec. 4. (1) All agencies, boards, commissions, and departments of the state shall furnish such information, reports, aid, services, and assistance as may be requested by any standing committee of the Legislature in the performance of its duties.

(2) The Government, Military and Veterans Affairs Committee of the Legislature shall use its staff and may also request assistance from the Director of Research of the Legislature, the Legislative Fiscal Analyst, or any other division within the Legislature as may be necessary in the

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performance of the duties set forth in this act.