

TRANSCRIPT PREPARED BY THE CLERK OF THE LEGISLATURE  
Transcriber's Office  
FLOOR DEBATE

March 19, 2003      LB 608

statement has been made that it's overreaching, simplistic, takes on more information than is necessary. The amendment is none of those things, in my opinion. First of all, it doesn't go beyond the situation that we deal with in the bill. It's not trying to change everything in government. We don't need to. The Program Evaluation Committee has not yet run into a situation where the confidentiality problem has not been overcome. But these statutes are quite clear. If Senator Brashear was suggesting that a judicial order should be necessary in order to get this information, I would suggest that that's nothing we require anyplace else in the performance audit process in order to get information, and obviously would be an expensive and cumbersome way of dealing with what ought to be a succinct and straightforward and face-to-face method of obtaining information. If Senator Brashear was suggesting that any information could be required, that's not so, because it has to be in conjunction with a specific program evaluation authorized under the statutes so that the committee sits down, fashions its programs, figures out what information it wants, what it intends to examine, and then simply gets that information which is necessary for that purpose. And if it is a legitimate performance audit purpose, then there ought to be no information it cannot get. Otherwise, you're saying government will be secret in its applications and above and beyond the reach of the legislative branch, and that should never be so.

SPEAKER BROMM: One minute.

SENATOR BEUTLER: At the federal level, the Internal Revenue Service is audited all the time by government auditing agencies to see that they are correctly applying the tax laws. They get confidential information. It seems to be in this area, and I'm going to explore it seriously, more seriously before Select File, but it seems to be in this area that we want to close up everything and not even allow a legitimate government function. It's not a matter of winning the war as to what...how much information is revealed. It's a matter of being able to do the job that this body has. It's being able to take on the responsibility that this body has. It's being able to move forward with something that just a few days earlier we declared to be extremely important,...