

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

March 11, 2004 LB 902

working papers to the State Attorney General or to a county attorney in connection with investigations. LB 902 would place a similar exemption in Section 84-311 for disclosure of work materials requested by the Legislative Performance Audit Committee. Currently, if any employee in the Auditor's Office violates the nondisclosure provisions, they are subject to penalties in Section 84-712.09, which means they are subject to removal or impeachment, and in addition shall be deemed guilty of a Class III misdemeanor. Basically, Auditor's Office wants to have it clarified in statute that if they provide work papers to the Legislative Performance Audit Committee, they will not be violating the nondisclosure requirements they are subject to. So this simply says this material is available also to the Legislative Performance Audit Committee. There is an amendment following that will clarify that. I just wondering if...so this is only intended to provide this information to the Legislative Performance Audit Committee in the course of their work of investigations if it's so required, and I would remind those listening that this would become an impeachable sentence, if it releases information; that means the Performance Audit Committee members. And so that's the reason for LB 902. It clarifies that the auditor can disclose this and not be subject to the nondisclosure provisions that they are subject to if it goes to Performance Audit Committee members.

SENATOR CUDABACK: Thank you, Senator Wehrbein. As stated, there is an amendment to LB 902. It does not show up on your so-called gadgets. Mr. Clerk.

ASSISTANT CLERK: Mr. President, Senators Wehrbein and Beutler would offer AM3070. (Legislative Journal page 1034.)

SENATOR WEHRBEIN: I will speak to this briefly and let Senator Beutler have some of my time. This simply clarifies, if you're reading the green copy, it refers to some sections in there and that implies that perhaps the Legislative Council could have access to this information. That is not true. This amendment clarifies that it's only to the Performance Evaluation Committee members. So this amendment strikes "a member of the Legislative Council" and instead inserts "the Legislative Performance Audit Committee in the course of the committee's official duties and."