

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

April 4, 2005            LB 588

LB 588. All in favor say aye. Opposed, nay. They are adopted.

CLERK: Senator Beutler would move to amend with AM0979.  
(Legislative Journal page 1018.)

SENATOR CUDABACK: Senator Beutler, you're recognized to open on AM0979 to LB 588.

SENATOR BEUTLER: Senator Cudaback, members of the Legislature, just to refresh your memory, this is a bill that is part of the effort in the legislative branch to build up the Performance Audit Committee and its ability to work with agencies and to get good information for us. And this particular piece of it is clarifying, pursuant to an Attorney General's Opinion that we got last year, indicating we needed to clarify the powers of the committee with respect to confidential information. And we worked through that on General File. Now there are two amendments that I would like to propose to you. Actually, one is Senator Smith's idea. And we haven't had a chance to talk about it here last minute, so we'll get together on that. But this amendment comes from the Department of Revenue, the one that's before you now. And it represents a curtailment, or limitation on the power of the Performance Audit Committee, to which the committee consents. Basically, you'll recall there are a couple of sensitive areas. One is in the area of income taxes and the review of income taxes. And we talked about that extensively on General File. And you may recall that there were a number of limitations on the Performance Audit Committee's ability to review income tax information. And then the Department of Revenue said, look, we have this provision that seems to be contradictory to the right of the Performance Audit Committee to look at our sales taxes, talking about sales taxes now. And that provision, the main part of it is shown on page 3 of the amendment, subsection (7), if you want to look at it. But basically, the argument is, we're not sure this is all very clear. We would like you to do one more amendment which limits the power of the Performance Audit Committee with respect to sales taxes, in some ways similar to the way they were limited with respect to income taxes. And we agreed to that. However, the amendment as it came from the Department of Revenue sought to apply these limitations not only to the Performance Audit