



WAYNE STATE
UNIVERSITY

Center for Urban Studies

Legislative Oversight in Nebraska

Capacity and Usage Assessment

Oversight through Analytic Bureaucracies:	Moderate
Oversight through the Appropriations Process:	Limited
Oversight through Committees:	Moderate
Oversight through Administrative Rule Review:	Minimal
Oversight through Advice and Consent:	Limited
Oversight through Monitoring Contracts:	Minimal
Judgment of Overall Institutional Capacity for Oversight:	Moderate
Judgment of Overall Use of Institutional Capacity for Oversight:	Moderate

Summary Assessment

Nebraska's distinctive legislative structure, unicameral and non-partisan, affords both unique opportunities and obstacles for effective legislative oversight. While nominally non-partisan, the partisan tendencies of every senator is well known. However, the combination of the small membership of the unicameral and the absence of partisan caucuses to provide partisan discipline, has produced a history of collegiality and cooperation across partisan lines. But, with the adoption of term limits, efforts to reduce the impact of moderates in the legislature, and the partisan sorting out between urban and rural areas, this legacy is under stress. Despite this political context, Nebraska's legislature is making good faith efforts to conduct oversight.

Major Strengths

The continued and perhaps increasing use of special oversight committees indicates there is some frustration on the part of lawmakers with how oversight is conducted through regular standing committees. However, the creation of these special committees appears to be a sincere reaction to highly publicized failures of state agencies. This reactive approach may not provide an ideal model for other states and legislators who desire to be proactive when it comes to robust oversight. For the most part, the special committee trend has proved useful in reforming some agency problems and have helped institute more permanent oversight offices. The Special Oversight Committees on Corrections and Children's Behavioral Services led to the creation of distinct Inspector General Offices where none existed before. Although it appears that there is some element of partisanship driving the formation of these committees, their track record and results demonstrates outcomes that are highly cooperative and honest attempts at oversight. Furthermore, these special oversight committees are seen as useful by the senators themselves, in that they allow for greater communication across committee jurisdictions and help pool knowledge across various arenas of the policy domain (interview notes, 2018). While the ad hoc

approach to oversight may not be an ideal way for other states to approach oversight, Nebraska is conducting better and more oversight than in the recent past (interview notes, 2018).

Challenges

While the special oversight committees have produced encouraging oversight outcomes, they are highly reactive to well publicized agency failures. It is difficult to envision this process being utilized by the legislature for “police patrol” type of oversight. Additionally, despite good faith oversight efforts, problems persist with certain agencies. The legislature has created two investigations by the Legislative Audit Office (LAO), as well as by the Auditor of Public Accounts (APA), and precipitated a near constitutional crisis over the subpoena of the corrections administrator, and still the Department of Corrections is not reflecting these oversight efforts. Finally, the legislature’s unique unicameral structure may make oversight more difficult. Since there is only one legislative body, there is no other institutional body that can force or push the senate to conduct more or better oversight.

Relevant Institutional Characteristics

The National Conference of State Legislatures (NCSL) classifies the Nebraska Legislature as a hybrid: neither fully professional nor part-time but possessing elements of both. Legislators receive a \$12,000 annual salary, plus a \$142 per diem in-session for those legislators who reside more than fifty miles from the Capitol building, with a \$51 per diem for those who reside within fifty miles (NCSL, 2017). Legislative sessions alternate annually between 90 and 60 days in session. There are 236 legislative staff members, 229 of whom are permanent staff members. Nebraska’s legislators are limited to eight years of consecutive service (NCSL, 2017). The Squire Index (2017) ranks Nebraska’s legislature as 21st most professional.

The Nebraska Governor’s powers are somewhat limited in comparison to those of other states. The governor shares budgetary responsibilities with the legislature and may utilize a line-item veto only on budget-related bills. The legislature may override such vetoes with a three-fifths majority vote. (Beyle, 2008) According to the Council of State Government’s (2015) Governors’ Institutional Powers Index (GIPI), the Office of the Nebraska Governor ranks 35th in terms of power among state governors. The limited appointment power of the office contributes to this lower rating.

Nebraska has the only unicameral, non-partisan state legislature in the country. The unicameral legislature was established in 1937, following approval of a constitutional referendum in 1934 that also abolished partisan affiliation for legislature members (Nebraska Legislature: History). Staff resources are limited for legislators. As of 2015 there were only 236 staffers (NCSL, 2017), which may be due to Nebraska’s unique legislative structure. Within the legislature is the Executive Board, which embodies many of the functions of speaker of the house or majority leader in more traditional institutional arrangements. The Executive Board determines committee assignments, assigns bills to committees, and schedules floor votes, among other “leadership” prerogatives.

The Executive Board consists of nine senators, all of whom are elected by their fellow senators at the beginning of each legislative session. The Executive Board members are: a chair and vice chair, the speaker, and two members from each of the three geographic regions

(caucuses) of the state. The Appropriations Committee Chair is a nonvoting board member whenever it considers financial matters.

Political Context

Despite the non-partisan nature of “the unicameral” (as the legislature is commonly referred to), state politics are dominated by the Republican Party. All statewide offices have been held by Republicans since 2013. Aside from former Democratic Governor-turned-Senator Ben Nelson, no Democrat has been elected to statewide office since 1994. In terms of polarization, the Nebraska Legislature is the 35th most polarized legislature in the United States (Shor & McCarty, 2015). In other words, it is not especially polarized. Consistent with this, several interviewees said there is a great deal of cooperation across party lines (interview notes, 2018). The level of polarization may be changing in a way that has not been captured by the Shor and McCarty data. In conversations with knowledgeable interviewees, it was noted that the current governor has made deliberate efforts to elect more ideologically consistent senators (interview notes, 2018). The efforts of the governor and the impact of term limits have lessened the incentive to cooperate across party lines. Further complicating Nebraska’s tradition of non-partisan cooperation is the increasing political partisan divide between rural Republican areas and urban and suburban Democratic areas (interview notes, 2018). One observer commented that in the legislature, “there is little compromise anymore and greater partisan discipline than in recent years” (interview notes, 2018).

However, it would be in error to assume that Republican control at the state and federal offices applies to the unicameral. In several instances, some standing committees have a decidedly progressive or liberal lean, for example, the Judiciary Committee. Interviewees noted that known Democrats have headed key committees and Democrats in general have been able to achieve some legislative success due to the more diversified or ideologically splintered Republican membership. Since the unicameral does not have party caucuses to enforce some party discipline, the result is a more independent minded unicameral membership. Additionally, a knowledgeable source noted that Nebraska’s political culture has in the past emphasized cooperation and compromise (interview notes, 2018).

The unicameral is comprised of 49 members serving four-year terms. Senators are term-limited to two consecutive terms. However, unlike some term limit states, Nebraska’s senators are re-eligible to serve again after four years. The terms of senators are staggered, which means every two years, half of the unicameral is up for re-election.

Dimensions of Oversight

Oversight Through Analytic Bureaucracies

The Legislative Audit Office (LAO) is the legislature's analytical bureaucracy that is most involved in oversight. The LAO is responsible for the state's single audit as well as financial audits of state agencies. It also conducts performance audits of state agencies and programs. Its activities are directed by the Performance Audit Committee (Nebraska Legislature: Legislative Audit Office). The Performance Audit Committee is a special committee, and thus created by statute, in contrast to other types of committee, which are created by rule (Rules of the Nebraska Unicameral Legislature; Rule 3 Sec. 3-5, 2017, pp. 14-17).

Audits performed by the LAO focus on three criteria: (1) the extent to which the audited entities adhere to their prescribed purposes, (2) the degree to which they are succeeding in achieving their stated goals, and (3) their fiscal/budgetary performance. Audits can be conducted either at the discretion of the legislature's Executive Board, at the request of other legislative committees, or legislators themselves.

With a budget of approximately \$2.2 million for 2015 and a staff of 45 professionals, most of whom are CPAs, Certified Fraud Examiners (CFEs), or IT specialists, the LAO produced 54 reports on specific agencies and programs since 1998, a rate of two or three per year. Additionally, LAO produced annual reports from 2004 through 2017. Many of the agency/program-specific reports pertain to audits, while the remaining reports are mostly memoranda that refer to pre-audits or agency action that rendered the conduct of a full audit superfluous (Nebraska Legislature: Performance Audits). The LAO can request information from state agencies, but cannot issue subpoenas (NASACT, 2015), although the legislature can (Duggan, 2018b).

Although the LAO audits include information on whether program or agency actions are consistent with legislative intent and on whether programs and agencies are meeting their goals, these criteria are considered in the context of agency financial audits (NASACT, 2015). Performance audit reports posted on the LAO website are consistent with this. For example, the audit report on the Research and Development Act (RDA) assesses whether it is attracting business to the state rather than the inner workings of the actions of RDA staff. This is different than audits in some states that schedule site visits to observe agency staff doing their work and to interview program clients with respect to the services they receive. On the RDA audit, a reply from the auditee includes comments from the legislative fiscal analyst about the potential costs and legislation that might be needed for the auditee to comply with the audit recommendations.¹

There are two legislative analytic bureaucracies in addition to the LAO; (1) The Legislative Fiscal Office (LFO), which analyzes and predicts the financial effect of proposed legislation, and; (2) The Legislative Research Office (LRO), which provides research assistance and reports to legislators (Nebraska Legislature: Legislative Divisions). During legislative sessions, the Appropriations Committee directs the work of the LFO. It is a small unit with only 15 staff that was created 2002 to assist legislators in the budget process.

In addition to these legislative analytic bureaucracies, Nebraska has a statewide elected state auditor called the Auditor of Public Accounts (APA). It is important to note that the legislature has no authority or committee that directs the actions of the APA or reviews its work. The APA is constitutionally a member of the executive branch but retains a level of independence from both the governor and the legislature. The APA has the constitutional authority to audit all state fiscal activity and audits all state agencies, commissions, and bureaus,

¹ https://nebraskalegislature.gov/pdf/reports/audit/na_research_dap_2017.pdf, accessed 7/6/18.

as well as local school districts, counties, and court systems.² The APA also reviews compliance issues with government programs and services that utilize federal funds, conducts the state's Comprehensive Annual Financial Report (CAFR), and audits the state lottery and other state retirement systems.³

It appears that the APA is an active audit agency engaged in a wider-range of financial auditing functions. In 2018 alone, the APA issued 152 reports related to audit investigations, however, the vast majority of these reports are statutorily required reports of subdivisions of government like counties, municipalities, and courts or lottery and pension funds for which the state is responsible. Of the 152 reports in 2018, 50 were related to counties and municipalities, 55 related to court systems, and 22 to other statutorily required reviews like CAFR, lottery, or retirement systems.⁴ The APA's office is comprised of 45 staffers who conduct special investigations of fraud, waste, or abuse by state and local government employees.⁵ A positive sign is that the staff regularly testifies at pertinent committee hearings and is available to senators on a formal and informal basis.

It is important to note that the APA does not conduct performance audits; only the LAO conducts these audits. The APA's work on special investigations can leverage the legislature's oversight efforts, however. In 2015, the APA issued a report detailing systematic issues within the Nebraska Department of Correctional Services over how funds were spent by department subunits.⁶ During this period of time, the Nebraska Legislature had commissioned a special oversight committee, the Department of Correctional Services Special Investigative Committee, to examine fiscal and policy issues that plagued the troubled corrections system.⁷ As will be discussed below in the "Oversight Through Committees" section, the Department of Correctional Services has had repeated instances of mismanagement, both from a fiscal and procedural aspect. The legislative response with the special investigative committee is a key tool in how the Nebraska Legislature exercises oversight.

Over the past four years, the most recent auditor, Charlie Janssen, made deliberate efforts to improve the relationship between the APA and the legislature. For instance, the auditor established a legislative liaison position to improve communication between the APA and state senators (interview notes, 2018). One interviewee stated that the previous auditor would meet with senators, but senators felt conversations were more in line with "being lectured" than consulted (interview notes, 2018). The recent efforts have made a previously contentious relationship more collaborative, especially with the LAO. Prior to the current auditor, the APA and the LAO often had an adversarial relationship regarding appropriate jurisdiction and which agency could investigate what (interview notes, 2018). Currently, the APA and the LAO notify each other when an audit or investigation may impact either's work (interview notes, 2018). This overall improved communication and collaboration has allowed the APA to send legislative recommendations that enhances the ability of the APA to conduct investigations, for example, granting the APA the power to issue subpoenas (interview notes, 2018).

² http://www.auditors.state.ne.us/About_Us/History_Major_Duties_&_Mission_Statement.html, accessed 11/27/18.

³ http://www.auditors.state.ne.us/About_Us/History_Major_Duties_&_Mission_Statement.html, accessed 11/27/18.

⁴ <http://www.nebraska.gov/auditor/FileSearch/years.cgi>, accessed 11/27/19.

⁵ http://www.auditors.state.ne.us/About_Us/staff.html, accessed 11/27/18.

⁶ http://www.auditors.nebraska.gov/APA_Reports/2015/SA46-11022015-July_1_2013_through_December_31_2014_Attestation_Report.pdf, accessed 11/27/18.

⁷ Hearing held on November 4, 2015. https://nebraskalegislature.gov/calendar/hearings_range.php, accessed 11/27/18.

Oversight Through the Appropriations Process

The legislature approves “a full biennial (two-year) budget, which is enacted during regular legislative sessions held in odd-numbered years (the long, 90-day session).” The appropriations process is delineated in Rule 8 of the legislature’s rulebook. The process is as follows: The governor submits a proposed budget, which is examined by the legislature’s Appropriations Committee, with the assistance of the Legislative Fiscal Office (LFO). After holding hearings and following analysis by the LFO, the Appropriations Committee releases its budget recommendation. Next it crafts its appropriations bills. Rather than one, comprehensive bill, the budget is voted on as discrete items. These bills are then submitted to the full legislature and, if approved, sent to the governor (Nebraska Legislature: Budget Process). In cases of gubernatorial veto (line-item or full), the legislature may override such veto with the vote of 30 of its 49 members (Nebraska Legislature: Budget Process). To provide some budgetary context, the biennial budget for FY 2017-19 was \$8.9 billion.

One of the LFO’s responsibilities is to conduct oversight of the appropriations process.⁸ The LFO compiles yearly budget reports, general fund status updates, and updates on the state’s revolving fund. These are not audits and cannot be labeled “audit.” Complicating efforts to determine the quality of oversight performed by the Appropriations Committee, there are no archival recordings of committee hearings, either audio or video. The clerk of the legislature does provide transcripts of all committee and floor sessions. After reviewing several extensive transcripts, we found some basic oversight performed by some legislators. Specifically we found evidence of oversight with respect to Medicaid reimbursement to hospitals and nursing home Medicaid rates.⁹ However, only two or three senators questioned the different Department of Health and Human Services administrators; most committee members asked no questions.

For FY 2018, oversight efforts appear focused on high profile problems. For example, the troubled Department of Corrections received no increase in funding and the Health and Human Services requested more funds for child welfare services, which are explained in greater detail in the next section (Nitcher, 2018). While there may be rigorous oversight being conducted of state agencies and specific programs within those agencies, it is difficult to ascertain the depth of that oversight from the available public record. But it does appear that legislators pay attention to recurring problems.

Although evidence of audits used in the appropriations or budget process is scarce, in 2018, there was one widely publicized use of an audit report. This involves the state single audit in 2016 of programs that received federal funds. A Planned Parenthood office in Heartland used public money (6% of the funds examined) for abortion related services according to the audit. Planned Parenthood claimed that this was paid for with privately raised funds that were not correctly recorded in its accounts. This led to a budget impasse in 2018 after the governor included a measure in the budget that would have prevented funding for any group that counsels or refers clients to abortion providers. The legislature, controlled by Republicans, balked because this would have cut funds for health clinics that refer women to other providers that provide abortion services (Chicago Tribune, 2018). These lawmakers were concerned that this would reduce access to contraceptives and other reproductive care for low income citizens in the state. Ultimately, the budget passed with the restriction on funds that the governor sought (Associated

⁸ <https://www.nebraskalegislature.gov/reports/fiscal.php>, accessed 11/22/18.

⁹ <https://nebraskalegislature.gov/FloorDocs/105/PDF/Transcripts/Appropriations/Agency%2025%20HHS%203-13-17.pdf>, accessed 11/22/18.

Press, 2018). Although this incident indicates that audits are used in the budget process, it hardly qualifies as legislative oversight of the executive branch. Rather it illustrates executive branch use of audit information to extract concessions from the legislature.

Oversight Through Committees

Nebraska has 14 standing committees, special committees, which are established by law, and select committees, tasked with procedural responsibilities. All three have formal power that could be used to conduct legislative oversight. Additionally, the legislature passes resolutions annually to authorize Interim Study Resolutions, which empower committees to investigate specific policy problems during the interim.

Standing committees may review, hold hearings, and propose amendments to an appropriations bill following the bill's submission by the Appropriations Committee, provided that the bill pertains to said standing committee's "subject-matter jurisdiction" (Rules of the Nebraska Unicameral Legislature, Rule 8 Sec. 4, 2017, pp. 55-56). Despite the authority of standing committees to engage in these activities, the work of standing committees is controlled by a centralized leadership system in which the nine-member Reference Committee refers bills to standing committees. For example, per Rule 3, Section 21.A of the legislature's rules, any committee (standing or otherwise) has the power to issue subpoenas, but only if the "committee has received prior approval by a majority vote of the Executive Board to issue subpoenas in connection with the specific inquiry or investigation in question" (Rules of the Nebraska Unicameral Legislature, 2017, p.23).

The Executive Board of the Legislative Council is a special committee that "supervises all legislative services and employees," including the referral of bills to the pertinent committee (Nebraska Legislature: News). The members of the Executive Board of the Legislative Council are also the members of the Reference Committee—a very centralized committee structure. There are other special committees that play an important role in legislative oversight. As discussed above, the LAO currently operates under the direction of the Performance Audit Committee, a special committee. The committee's reports discussed above provide documentation of its oversight activities.

In recent years there has been a move by the unicameral to create specific oversight committees with jurisdiction separate from regular standing committees. Movement to create these committees is often associated with a highly publicized failure on the part of a state agency. For example, in 2017, lawmakers created a prison oversight committee to look at issues involving corrections, parole and probation (Schulte, 2017). In 2017, legislators considered creating an oversight committee to examine issues in the child welfare system. The call for a special oversight committee was the result of an internal inspector general report that focused on 50 children who suffered sexual abuse while in the care of the state (Nelson, 2017). Then, in 2018, the unicameral created a special oversight committee to examine issues with assisted-living facilities after a highly publicized death of a World War II veteran in September 2017. Previous violations had been identified at the facility in question by the Department of Health and Human Services in June and July of 2017, but the Department took no action (Young, 2018).

In addition to these committees, in the past five years there has been a Children's Behavioral Health Oversight Committee and the Developmental Disabilities Special Investigative Committee. However, there appears to be reluctance about standing committees conducting oversight or establishing more oversight mechanisms. In 2018, LB 1093 would have

established the Office of Inspector General for Public Health after several highly publicized deaths in assisted-living facilities. However, the bill failed to advance out of the Health and Human Services Committee.

Observers and participants in the unicameral have cited three reasons that have necessitated the creation of these special oversight committees. First is the nature of the unicameral itself; senators need more opportunities to dig into specific issues and policies. The normal standing committee process, combined with the short legislative session, cannot or does not allow for detailed oversight. Second, the special committees provide an opportunity for a mixture of committee perspectives. These special committees are often comprised of members from appropriations, the pertinent standing committee, and outside members. This element driving the formation of these committees cannot be overstated. Often issues of oversight pertain to budgeting and resource allocations, but also issues of licensing or agency communication. In the instance of the Special Oversight Committee on Correctional Services, elements of the corrections system failed to or were unable to communicate on who was to be released or who was up for parole. This resulted in the release of Niko Jenkins who did not want to be released and told parole board members if he was released he would go on a killing spree. He was subsequently released and murdered four people (WOWT 6 News, 2015).

Third, the committees provide a partisan outlet for those senators in the political minority. While Nebraska is nominally non-partisan, it is clear to everyone in and out of government where senators' political allegiances lie. This is reinforced by the fact that the first Prison Oversight Committee was chaired by a senator everyone knew to be a Democrat. Finally, oversight committees are becoming increasingly popular and important as term limits fully take effect. Senators are limited to two consecutive terms and then can become re-eligible to run in four years. The result has been a lack of institutional memory or knowledge, which can inhibit oversight efforts of individuals and by extension the committees on which they serve. The special oversight committees can pool knowledge from several different committees and narrow the policy focus in a way that does not burden the normal legislative duties of standing committees.

There was a clash in 2018 between the executive and the unicameral over the legislature's prerogatives to exercise oversight. The state attorney general sued to stop the unicameral from exercising its legislative oversight authority regarding an inquiry into Nebraska's death penalty processes (Duggan, 2018a). Several years ago, the unicameral banned the death penalty only to have it reinstated by a popular initiative driven by the governor. The initiative passed with 61% of the vote, and the death penalty was reinstated. The Unicameral Judiciary Committee attempted to hold a hearing and subpoenaed the Director of Correctional Services, Scott Frakes, to answer questions regarding the state's lethal injection protocol. The Chairwoman of the Judiciary Committee, Sen. Laura Ebke, wanted to understand how the Corrections Department acquired and devised the "four-drug combination" in the state's first execution in over 20 years. She stated that this was central to the legislature's oversight powers. In this instance a legislature's attempt to exercise oversight resulted in the attorney general suing 16 state senators and precipitating a possible constitutional crisis. This effort has strong partisan undertones that relates to past battles to reinstate the death penalty. It appears that oversight in this instance is less about monitoring agency performance than in focusing public attention on a sensitive politically polarized issue.

Oversight Through the Administrative Rules Process

According to *The Book of the States*, the Nebraska Legislature's role in the administrative rules process is solely advisory (Council of State Governments, 2016). In fact, this characterization appears to be overly generous: according to the Nebraska Secretary of State's summary of the administrative rules process, the legislature does not even have an advisory role. The process is as follows: an agency proposes a rule, public hearings are conducted, and then the proposed rule is submitted to the attorney general and the governor for final approval (Nebraska Secretary of State: Rules and Regulations). Proposed rules are sent to the legislature, and if any legislator objects to the rules he or she may send a letter of complaint to the relevant committee or to the bill's sponsor arguing that the rules do a disservice to the legislation. If the complaint is deemed to have merit, it is sent to the agency requesting a written reply within 60 days. None of this is binding on the agency, so, effectively, the legislature has no way to block a rule to which it objects.

Oversight Through Advice and Consent

The legislature's rules stipulate that gubernatorial appointments are referred to the relevant standing committee by the Reference Committee (consisting of the members of the Executive Board of the Legislative Council). The committee then holds confirmation hearings at which the appointee must testify, unless excused from doing so by the committee chair. The committee then provides its recommendation, followed by a vote by the full legislature to either confirm or reject the appointment (Rules of the Nebraska Unicameral Legislature, Rule 3 sec. 3(e), 2017, p. 16).

In practice, legislative rejection of gubernatorial appointments is exceedingly rare. In 2015, a controversial appointment of the Chief Medical Officer was confirmed, but only after a second vote and a request from the governor. Ironically, the appointee resigned a week later. Nonetheless, this sort of dispute over a gubernatorial nominee is rare; "Capitol staffers could not remember a rejection of a governor's appointee by the legislature in recent history" (Young, 2015).

The unicameral lacks power to oversee gubernatorial executive orders. The governor can use these orders to manage all forms of disasters and emergencies, and to create entities to study or investigate issues. The governor cannot use executive orders to respond to federal requirements, to reorganize state agencies or to conduct state personnel administration. It appears that Nebraska's governors make sparing use of executive orders. There was only one listed for 2018, nine for 2017, and none for 2016. Most of the orders in 2017 involved fires, droughts, and Hurricane Harvey.

Oversight Through Monitoring of State Contracts

Monitoring of state contracts is conducted within the executive branch by the Department of Administrative Services (DAS). This appears to constitute data collection more than oversight. The DAS maintains a database of state contracts.¹⁰

¹⁰ <https://statecontracts.nebraska.gov/Search>, accessed 7/7/18.

Oversight Through Automatic Mechanisms

According to the Council of State Governments (2016), Nebraska's use of sunset legislation is discretionary, without a specific sunset commission. Rather, legislators may attach sunset provisions to legislation, boards, or commissions if they so choose (Table 3.27, p. 132).

In practice, the use of sunset provisions is somewhat rare. Within the legislature's last five sessions, only two instances of the attachment of sunset provisions to bills were found, both of which pertain to tax incentives. Within this same period, sunset provisions were removed from four already existing programs. Sunset periods were extended on two programs, while one program (a property tax levy) was discontinued at the expiration of its sunset clause (Nebraska Legislature Session Reviews, 2013-17).

Methods and Limitations

For Nebraska, three people were interviewed out of the six people that were contacted. We found no minutes for committee hearings, although there are publicly available transcripts. While there are no agendas available for past committee hearings, Nebraska's legislature has a website that shows what days committees met and what bills were considered in each meeting.¹¹ The legislature does not make audio or video recordings of committee meetings available on its webpage. There are only live broadcastings. Limited archival resources make it difficult to be confident in our assessment of the quality of legislative oversight.

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