

E AND R AMENDMENTS TO LB 949

Introduced by Larson, 40, Chairman Enrollment and Review

1 1. Strike the original sections and all amendments
2 thereto and insert the following new sections:

3 Section 1. (1)(a) On or before July 30, 2012, the
4 Division of Children and Family Services of the Department of
5 Health and Human Services shall report in writing its expenditures
6 between January 1, 2012, and June 30, 2012, to the Appropriations
7 Committee of the Legislature and the Health and Human Services
8 Committee of the Legislature. Such report shall identify any
9 changes or movement of funds in excess of two hundred fifty
10 thousand dollars relating to child welfare between subprograms
11 within Budget Program 347.

12 (b) Beginning with the third calendar quarter of 2012,
13 the division shall report in writing its expenditures for each
14 quarter within thirty days after the end of the quarter to the
15 Appropriations Committee of the Legislature and the Health and
16 Human Services Committee of the Legislature. Such report shall
17 identify any changes or movement of funds in excess of two
18 hundred fifty thousand dollars relating to child welfare between
19 subprograms within Budget Program 347.

20 (2)(a) For the biennium ending June 30, 2015, and the
21 biennium ending June 30, 2017, the Division of Children and Family
22 Services of the Department of Health and Human Services shall,
23 as part of the appropriations request process pursuant to section

1 81-132, include a strategic plan that identifies the main purpose
2 or purposes of each program, verifiable and auditable key goals
3 that the division believes are fair measures of its progress in
4 meeting each program's main purpose or purposes, and benchmarks for
5 improving performance on the key goals for the state as a whole
6 and for each Department of Health and Human Services service area.
7 The division shall also report whether the benchmarks are being met
8 and, if not, the expected timeframes for meeting them. Such key
9 goals and benchmarks shall be developed by the Division of Children
10 and Family Services with the assistance of the budget division of
11 the Department of Administrative Services pursuant to subdivision
12 (2) of section 81-1113.

13 (b) Not later than September 15, 2013, and not later than
14 September 15, 2015, the Division of Children and Family Services
15 of the Department of Health and Human Services shall report to
16 the Health and Human Services Committee of the Legislature and the
17 Appropriations Committee of the Legislature on the progress towards
18 its key goals that occurred in the previous twelve months.

19 (3) It is the intent of the Legislature that
20 appropriations of funds for child welfare aid be designated as a
21 separate budget program beginning with the biennial budget for the
22 biennium ending June 30, 2015.

23 Sec. 2. Section 81-132, Reissue Revised Statutes of
24 Nebraska, is amended to read:

25 81-132 All departments, offices, and institutions of
26 the state government requesting appropriations shall file in the
27 office of the Director of Administrative Services the budget

1 forms furnished them by the director under the provisions of
2 sections 81-1113 and 81-1113.01. The budget forms required by
3 this section shall be filed on or before September 15 of each
4 even-numbered year, except that in 2002, the budget administrator
5 of the budget division of the Department of Administrative Services
6 may extend the filing deadline for budget forms to a date no
7 later than October 15, 2002. The forms shall show their total
8 estimated requirements for the next biennium for each unit
9 of their organization and activity classified as to object of
10 expenditure. With such forms, each department, office, institution,
11 and expending agency shall file a report showing all money received
12 by such department, office, institution, or expending agency
13 together with the estimated receipts for the coming biennium.
14 Such estimates shall be accompanied by a statement in writing
15 giving facts and explanations of reasons for each item of increased
16 appropriation requested. The report submitted by the Department of
17 Health and Human Services shall include, but not be limited to, the
18 key goals, benchmarks, and progress reports required pursuant to
19 section 1 of this act.

20 Sec. 3. Section 81-1113, Reissue Revised Statutes of
21 Nebraska, is amended to read:

22 81-1113 The budget division shall prepare the executive
23 budget in accordance with the wishes and policies of the Governor.
24 The budget division shall have the following duties, powers, and
25 responsibilities:

26 (1) Shall prescribe the forms and procedures to be
27 employed by all departments and agencies of the state in compiling

1 and submitting their individual budget requests and shall set
2 up a budget calendar which shall provide for (a) the date, not
3 later than July 15 of each even-numbered year, for distribution
4 of instructions, (b) the date by which time requests for
5 appropriations by each agency shall be submitted, and (c) the
6 period during which such public hearings as the Governor may elect
7 shall be held for each department and agency. The budget request
8 shall be submitted each even-numbered year no later than the date
9 provided in section 81-132, shall include the intended receipts
10 and expenditures by programs, subprograms, and activities and such
11 additional information as the administrator may deem appropriate
12 for each fiscal year, shall be made upon a biennial basis, and
13 shall include actual receipts and actual expenditures for each
14 fiscal year of the most recently completed biennium and the first
15 year of the current biennium and estimates for the second year of
16 the current biennium and each year of the next ensuing biennium;

17 (2) Shall work with each governmental department and
18 agency in developing performance standards for each program,
19 subprogram, and activity to measure and evaluate present as well
20 as projected levels of expenditures. The budget division shall
21 also work with the Division of Children and Family Services of
22 the Department of Health and Human Services to develop key goals,
23 benchmarks, and methods of quantification of progress required
24 pursuant to section 1 of this act;

25 (3) Shall, following passage of legislative
26 appropriations, be responsible for the administration of the
27 approved budget through budgetary allotments;

1 (4) Shall be responsible for a monthly budgetary report
2 for each department and agency showing comparisons between actual
3 expenditures and allotments, which report shall be subject to
4 review by the director and budget administrator; and

5 (5) Shall be responsible for the authorization of
6 employee positions. Such authorizations shall be based on the
7 following:

8 (a) A requirement that a sufficient budget program
9 appropriation and salary limitation exist to fully fund all
10 authorized positions;

11 (b) A requirement that permanent full-time positions
12 which have been vacant for ninety days or more be reviewed
13 and reauthorized prior to being filled. If requested by the
14 budget division, the personnel division of the Department of
15 Administrative Services shall review such vacant position to
16 determine the proper classification for the position;

17 (c) A requirement that authorized positions accurately
18 reflect legislative intent contained in legislative appropriation
19 and intent bills; and

20 (d) Other relevant criteria as determined by the budget
21 administrator.

22 Sec. 4. Original sections 81-132 and 81-1113, Reissue
23 Revised Statutes of Nebraska, are repealed.

24 Sec. 5. Since an emergency exists, this act takes effect
25 when passed and approved according to law.

26 2. On page 1, line 5, strike "and"; and in line 6 after
27 "sections" insert "; and to declare an emergency".