



**Ninety-Ninth Legislature - First Session - 2005**  
**Committee Statement**  
**LB 193**

---

**Hearing Date:** January 26, 2005  
**Committee On:** Health and Human Services

**Introducer(s):** (Thompson)  
**Title:** Transfer oversight of the County Juvenile Services Aid Program

---

**Roll Call Vote – Final Committee Action:**

- Advanced to General File
  - X Advanced to General File with Amendments
  - Indefinitely Postponed
- 

**Vote Results:**

6	Yes	Senator Jensen Byars, Cunningham, Erdman, Johnson and Howard
	No	
	Present, not voting	
1	Absent	Senator Stuthman

---

**Proponents:**  
 Senator Thompson  
 Tom McBride  
 T.Hank Robinson

**Representing:**  
 Introducer  
 Self  
 Juvenile Justice Institute, University of Nebraska  
 Omaha

**Opponents:**  
 Todd Reckling

**Representing:**  
 Nebraska Health and Human Services System

**Neutral:**  
 Monica Miles-Steffens  
 Chrisella Lewis

**Representing:**  
 Nebraska Crime Commission  
 Adams County

---

**Summary of purpose and/or changes:** LB 193 relates to the County Juvenile Services Aid Program (aid program) established under the Juvenile Services Act (act). The bill transfers provisions relating to the aid program from the HHS Office of Juvenile Services (OJS) to the Nebraska Commission on Law Enforcement and Criminal Justice (commission).

The bill deletes the definition of Office of Juvenile Services from section 43-2402. To be eligible for participation in either the Commission Grant Program (grant program) or the aid program, counties must develop and adopt comprehensive juvenile services plans. The bill requires counties to submit such plans to the commission, not OJS, according to rules and regulations adopted and promulgated by the commission.

---

The bill deletes language that currently limits (1) the availability of county planning grants for the development of juvenile services plans to FY02 and FY03 only, (2) the annual appropriation for planning grants to \$125,000, and (3) the amount of each planning grant to \$2,500 per county for such two-year period.

The commission, not OJS, must develop or contract for the development of a statewide system monitor and evaluate the effectiveness of plans and programs funded by the grant program or the aid program.

The bill transfers the aid program from OJS to the commission, and deletes language that currently limits the annual General Fund appropriation for the program to \$4 million.

The bill deletes and replaces language relating to the formula for the allocation of juvenile services aid. The bill requires the Nebraska Coalition for Juvenile Justice (coalition) to advise the commission on the formula. The formula, as adopted and promulgated by the commission in rules and regulations, may take into consideration (1) the total number of juveniles per county, (2) the minimum funding needs for planning grants in section 43-2404.01, and (3) the establishment of a minimum funding allocation of at least \$2,500 for individual counties if they are part of a multiple county comprehensive juvenile services plan.

The bill requires that juvenile services aid not allotted to counties under the aid program be reallocated to the commission for the grant program.

The bill deletes language requiring a 40% county match for juvenile services aid received under the aid program. Annual reports under the aid program must be filed with the commission, not OJS, and the commission must report annually to the Governor and the Legislature on the distribution of aid funds. The bill deletes an obsolete reporting requirement.

The bill has an operative date of July 1, 2005 and contains an emergency clause.

**Explanation of amendments, if any:** The committee amendment (AM 0375) replaces the bill as introduced. The amendment, like the introduced version of LB 193, relates to the County Juvenile Services Aid Program (aid program) established under the Juvenile Services Act (act). The bill transfers provisions relating to the aid program from the HHS Office of Juvenile Services (OJS) to the Nebraska Commission on Law Enforcement and Criminal Justice (commission).

To be eligible for participation in either the Commission Grant Program (grant program) or the aid program, counties must develop and adopt comprehensive juvenile services plans. The bill requires counties to submit such plans to the commission, not OJS, according to rules and regulations adopted and promulgated by the commission, in consultation with OJS (sec. 1).

The amendment deletes obsolete provisions relating to allocation of planning grants to counties for the development of comprehensive juvenile services plans (sec. 1).

The commission, not OJS, but in consultation with OJS and the Nebraska Coalition for Juvenile Justice, must develop or contract for the development of a statewide system monitor and evaluate the effectiveness of plans and programs funded by the grant program or the aid program (sec. 1).

The amended bill transfers the aid program from OJS to the commission, and deletes language that currently limits the annual General Fund appropriation for the program to \$4 million (sec. 2). The amount of funding available under the program is still dependent on legislative appropriations.

The amendment deletes and revises provisions relating to distribution of funding under the aid program. Aid must be apportioned to counties based on a formula established by the commission in rules and regulations. The formula must be based on the total number of residents

twelve to eighteen years of age in the county and other relevant factors as determined by the commission. The commission may require up to a 40% local match from counties participating in the program. Local expenditures for community-based programs for juveniles may be applied toward meeting the match requirement (sec. 2, subsec. 2)

The amendment expressly prohibits the use of funding under the aid program to replace existing funding for programs and services (sec. 2, subsec. 3).

The amended bill requires the commission to adopt and promulgate rules and regulations to implement the aid program (sec. 2, subsec. 6). The amended bill becomes operative on July 1, 2005 (sec. 3) and contains an emergency clause (sec. 5).

---

**Senator Jim Jensen, Chairperson**