

LEGISLATURE OF NEBRASKA

ONE HUNDRED SECOND LEGISLATURE

FIRST SESSION

LEGISLATIVE BILL 491

Introduced by Mello, 5; Conrad, 46.

Read first time January 18, 2011

Committee: Appropriations

A BILL

1 FOR AN ACT relating to state government; to amend sections 81-132,
2 81-1113, 81-1113.01, and 81-1115, Reissue Revised
3 Statutes of Nebraska; to change budget preparation
4 provisions; to require biennial strategic plans and
5 monthly performance measurements; and to repeal the
6 original sections.

7 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 81-132, Reissue Revised Statutes of
2 Nebraska, is amended to read:

3 81-132 All departments, offices, and institutions of the
4 state government requesting appropriations shall file in the office
5 of the Director of Administrative Services the budget forms furnished
6 them by the director under ~~the provisions of sections 81-1113 and~~
7 ~~81-1113.01.~~ The budget forms required by this section shall be filed
8 on or before September 15 of each even-numbered year, ~~except that~~
9 ~~in 2002, the budget administrator of the budget division of the~~
10 ~~Department of Administrative Services may extend the filing deadline~~
11 ~~for budget forms to a date no later than October 15, 2002.~~ The forms
12 shall show their total estimated requirements for the next biennium
13 for each unit of their organization and activity classified as to
14 object of expenditure. With such forms, each department, office,
15 institution, and expending agency shall file a report showing all
16 money received by such department, office, institution, or expending
17 agency together with the estimated receipts for the coming biennium.
18 Such estimates shall be accompanied by a biennial strategic plan,
19 monthly performance measurements, and a statement in writing giving
20 facts and explanations of reasons for each item of increased
21 appropriation requested.

22 Sec. 2. Section 81-1113, Reissue Revised Statutes of
23 Nebraska, is amended to read:

24 81-1113 The budget division shall prepare the executive
25 budget in accordance with the wishes and policies of the Governor.

1 The budget division shall have the following duties, powers, and
2 responsibilities:

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

22 (2) Shall work with each governmental department and
23 agency in developing ~~performance standards~~ a strategic plan and
24 performance measurements for each program, subprogram, and activity
25 to measure and evaluate present as well as projected levels of

1 expenditures on a monthly basis. All governmental department and
2 agency biennial strategic plans shall include: †

3 (a) A statement of mission, goals, strategies, and
4 performance measures of the department or agency;

5 (b) Identification of priority and other service
6 populations under current law and how those populations are expected
7 to change within the time period of the plan;

8 (c) An analysis of any likely or expected changes in the
9 services provided by the department or agency;

10 (d) Monthly input, output, and outcome measures for the
11 department or agency; and

12 (e) A description of the activities of the department or
13 agency that have received either lesser priority or have been
14 eliminated from the department's or agency's mission or work plan
15 over the previous year because of changing needs, conditions, focus,
16 or mission;

17 (3) Shall, following passage of legislative
18 appropriations, be responsible for the administration of the approved
19 budget through budgetary allotments;

20 (4) Shall be responsible for a monthly budgetary report
21 for each department and agency showing comparisons between actual
22 expenditures and allotments and progress towards outcome measures in
23 the department and agency biennial strategic plan which report shall
24 be subject to review by the director and budget administrator; and

25 (5) Shall be responsible for the authorization of

1 employee positions. Such authorizations shall be based on the
2 following:

3 (a) A requirement that a sufficient budget program
4 appropriation and salary limitation exist to fully fund all
5 authorized positions;

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

12 (c) A requirement that authorized positions accurately
13 reflect legislative intent contained in legislative appropriation and
14 intent bills; and

15 (d) Other relevant criteria as determined by the budget
16 administrator.

17 Sec. 3. Section 81-1113.01, Reissue Revised Statutes of
18 Nebraska, is amended to read:

19 81-1113.01 The forms and procedures required pursuant to
20 section 81-1113 shall only be prepared and distributed after:

21 (1) The final draft of the proposed budget forms,
22 strategic plan forms, performance measurement forms, and budget
23 instructions have been provided to the Legislative Fiscal Analyst and
24 an opportunity provided for recommendations from that office;

25 (2) The State Budget Administrator and Legislative Fiscal

1 Analyst have met and discussed the recommended changes; and

2 (3) A revised final draft of all proposed forms and
3 instructions has been provided to the Legislative Fiscal Analyst.

4 If the State Budget Administrator is unable to
5 accommodate any recommended changes, the Legislative Fiscal Analyst
6 shall be allowed to submit additional forms for the collection of
7 information. Such forms shall be included as an attachment to the
8 forms required by the Department of Administrative Services. All such
9 forms shall be completed and submitted as a part of the budget
10 submission process.

11 Sec. 4. Section 81-1115, Reissue Revised Statutes of
12 Nebraska, is amended to read:

13 81-1115 The budget division shall undertake such tasks of
14 budgetary planning as are presently done by various departments and
15 agencies of state government under the current biennial system of
16 appropriations, and shall have the following duties and
17 responsibilities:

18 (1) Coordinate the fiscal and performance measurement
19 plans of all state agencies;

20 (2) Develop a long-range, performance-driven framework
21 for program budgeting based on forecasts of revenue and expenditures
22 and review all such forecasts of revenue and expenditures quarterly;

23 (3) Compile and publish annually a ~~summary report~~ of the
24 operations and trends under all federal programs in which state
25 agencies have participated or might participate and report on the

1 size and desirability of federal grants and the effectiveness of
2 changes and tax laws on the ability of the state to attract industry;
3 and

4 (4) Make periodic performance studies of the ~~policies of~~
5 ~~other states regarding the levels of services~~ being provided by state
6 agencies in ~~this state~~ Nebraska in comparison with that of other
7 states.

8 Sec. 5. Original sections 81-132, 81-1113, 81-1113.01,
9 and 81-1115, Reissue Revised Statutes of Nebraska, are repealed.