

LEGISLATIVE BILL 996

Approved by the Governor April 16, 1986

Introduced by Beutler, 28

AN ACT relating to the Legislature; to amend sections 50-405, 50-416, 50-418, 50-419, and 50-419.01, Reissue Revised Statutes of Nebraska, 1943; to change references to the Budget Committee of the Legislature; to delete obsolete language; to delete references to the Legislative Council Budget Committee; and to repeal the original sections.

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

Section 1. That section 50-405, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

50-405. It shall be the duty of the council (1) to investigate and study the possibilities for consolidation in state government for elimination of all unnecessary activities and of all duplication in office personnel and equipment; and of the coordination of departmental activities; or of methods of increasing efficiency and effecting economies; (2) to investigate and study the possibilities of reforming the system of local government with a view to simplifying the organization of government; (3) to study the merit system as it relates to state and local government personnel; (4) to cooperate with the administration in devising means of enforcing the law and improving the effectiveness of administrative methods; (5) to study and inquire into the financial administration of the state government and the subdivisions thereof, the problems of taxation including assessment and collection of taxes, and the distribution of the tax burden; and (6) to study and inquire into future planning of capital construction of the state and its governmental agencies as to location and sites for expansion, such proposed planning to be submitted to the executive board for review and recommendation to the Legislature and the ~~budget committee~~ Appropriations Committee.

Sec. 2. That section 50-416, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

50-416. The Executive Board of the Legislative Council shall, prior to the first day of

each regular ninety-day session of the Legislature, appoint five members of the Legislature to serve, commencing on the first day of such session, together with the Chairman of the Committee on Budget Chairperson of the Appropriations Committee, on a committee to be known as the Nebraska Retirement Systems Committee. The executive board shall name the chairman chairperson of the committee. Such committee shall serve until the first day of the next succeeding regular ninety-day session of the Legislature. Any vacancy on such committee shall be filled by appointment from among the members of the Legislature. ~~The members of the committee serving on April 27, 1971, shall continue to serve as such until the first day of the next succeeding regular ninety-day session of the Legislature.~~

Sec. 3. That section 50-418, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

50-418. There shall be established within the Legislative Council the office of Legislative Fiscal Analyst. The Legislative Fiscal Analyst shall be appointed by and serve at the pleasure of the Executive Board of the Legislative Council. The Executive Board of the Legislative Council shall fix the salary of the Legislative Fiscal Analyst. The Legislative Fiscal Analyst shall have training and experience as determined by the executive board. The Legislative Fiscal Analyst, with the approval of the Executive Board of the Legislative Council, may employ necessary assistants, whose salaries shall be fixed by the executive board. ~~The Budget Appropriations Committee of the Legislature and the Legislative Council Budget Committee~~ shall determine the budgeting and related needs of each agency of state government before and during each session of the Legislature for the use of the Legislature. The committees, under the direction of the Executive Board of the Legislative Council, shall secure sufficient personnel and funds for the operation of the staff to go physically into each agency of state government and by observation and contact be able to defend and substantiate its recommendation and to accomplish the objective stated in this section.

Sec. 4. That section 50-419, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

50-419. (1) The Legislative Fiscal Analyst shall provide fiscal and budgetary information and assistance to the Legislature, and the Appropriations Committee, ~~of the Legislature, and the Legislative~~

~~Council~~ Budget Committee. During sessions of the Legislature he or she shall work under the direction of the Appropriations Committee of the Legislature. During the interim between legislative sessions he or she shall work under the direction of the Executive Board of the Legislative Council.

The Legislative Fiscal Analyst shall provide:

(a) Factual information and recommendations concerning the financial operations of state government;

(b) Evaluation of the requests for appropriations contained in the executive budget and recommendations thereon;

(c) Studies of capital outlay needs for the orderly and coordinated development of state institutions and institutional programs authorized, if not otherwise provided by law;

(d) Plans for legislative appropriation and control of funds, with pre-session analysis of budgetary requirements; and

(e) At the direction of the Performance Review and Audit Committee, analyses of the performance, management, and accomplishments of the programs of state government and state-aid programs.

(2) The analyses required by subdivision (1)(e) of this section may contain information pertaining to compliance with legislative intent, performance compliance with preestablished standards, program effectiveness, organizational structure, personnel policies, opinions, and recommendations as considered appropriate for the improvement of operations of government. The Legislative Fiscal Analyst may contract for services deemed necessary to carry out the duties of the office with the approval of the Executive Board of the Legislative Council.

(3) His or her duties shall also include examining or auditing functions or services authorized by the Legislature to determine if funds are expended according to legislative intent and whether improvements in organization and performance are possible. The examining function shall also include the appraisal of functions for needed reforms.

(4) His or her duties shall be to coordinate his or her activities with the budget officer of the Department of Administrative Services.

(5) All information and reports of the fiscal analyst and Appropriations Committee shall be available to any and all members of the Legislature.

(6) The Legislative Fiscal Analyst shall provide revenue-forecasting information and assistance

to the Legislature, the Revenue Committee of the Legislature, and the Appropriations Committee of the Legislature. For the purposes of this subsection, he or she shall work under the direction of the Revenue Committee of the Legislature and the Appropriations Committee of the Legislature. The revenue-forecasting information provided under this subsection shall include:

- (a) The estimated revenue receipts for each year of the following biennium;
- (b) General Fund reserve requirements;
- (c) A list of express obligations; and
- (d) A summary of economic conditions affecting the State of Nebraska.

Sec. 5. That section 50-419.01, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

50-419.01. The Legislative Fiscal Analyst shall present to the ~~Budget~~ Appropriations Committee, beginning the fifth legislative day, an evaluation of the operations of the state government including those issues, policies, and problems which have come to his or her attention or which resulted from analyses and in which improvement in performance and organization is possible. He ~~The Legislative Fiscal Analyst~~ shall, if requested, recommend alternatives to the identified problems and related needs.

Sec. 6. That original sections 50-405, 50-416, 50-418, 50-419, and 50-419.01, Reissue Revised Statutes of Nebraska, 1943, are repealed.