

LEGISLATIVE BILL 526

Passed over the Governor's veto February 28, 1978

Introduced by Appropriations Committee, Warner, 25, Chmn.; Cope, 36; Rumery, 42; Bereuter, 24; S. Marsh, 29; Fowler, 27; Hasebroock, 18; Savage, 10; Goodrich, 20

AN ACT to amend sections 81-125 and 81-132, Reissue Revised Statutes of Nebraska, 1943, and section 50-423, Revised Statutes Supplement, 1976, relating to the state budget; to define deficiency; to change the date the state budget is to be submitted by the Governor as prescribed; to provide that deficiency funding recommendations be included in such budget; to harmonize provisions; to provide procedures; to provide for the collection of information; to provide an operative date; to repeal the original sections; and to declare an emergency.

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

Section 1. That section 50-423, Revised Statutes Supplement, 1976, be amended to read as follows:

50-423. (1) The Governor shall present to each regular session of the Legislature his recommendations as to such deficiency funding requirements as he deems necessary for the continued operations of the various agencies, boards, and commissions of state government. The recommendations shall be in bill form and introduced to the Legislature as recommendations of the chief administrative office of the state, based upon the financial records and knowledge of the specific problems as brought to the attention of the Department of Administrative Services.

(2) For the purposes of subsection (1) of this section and the implementation of Article III, section 22 of the Constitution of Nebraska, deficiency shall mean an increase in any fund source for any budget program for the fiscal year in progress.

Sec. 2. That section 81-125, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

81-125. The Governor shall on or before the ~~thirtieth day of each regular session of the~~ Legislature January 15 present to the Legislature a complete budget for all the activities of the state receiving

appropriations or requesting appropriations, except that the Governor during his or her first year in office shall present such budget to the legislature on or before February 1. Such budget shall be a tentative work program for the coming biennium, containing a full and itemized report of the expenditures from appropriations made by the previous Legislature and the items which the Governor deems worthy of consideration for the coming biennium, for the respective departments, offices and institutions, and for all other purposes; the estimated revenue from taxation, the estimated revenue from sources other than taxation, and an estimate of the amount required to be raised by taxation, and recommendations as to deficiency funding requirements pursuant to section 50-423. The budget as transmitted to the Legislature shall show the estimated requirements for each activity of the state as prepared by the Department of Administrative Services and the final recommendation of the Governor. The budget shall comprise the complete report to the Legislature of all appropriations made by the previous Legislature and expenditures therefrom by all agencies receiving appropriations, and the report of expenditures contained in the budget shall be in lieu of all other biennial or other financial reports required by statute to the Legislature by expending agencies of appropriations and expenditures for their own activities, except the biennial report of the State Treasurer and Director of Administrative Services.

Sec. 3. That section 81-132, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

81-132. It shall be the duty of all departments, offices and institutions of the state government requesting appropriations, to file in the office of the Director of Administrative Services on or before September 15 the blanks budget forms which were furnished them by the director under the provisions of section 81-1113 and section 4 of this act, which blanks forms shall show their total estimated requirements for the next biennium for each unit of their organization and activity, classified as to object of expenditure. With such blanks forms, each department, office, institution and expending agency shall file a report showing all money received by such department, office, institution or expending agency, together with the estimated receipts for the coming biennium. Such estimates shall be accompanied by a statement in writing giving facts and explanations of reasons for each item of increased appropriation requested.

Sec. 4. The forms and procedures required pursuant to section 81-1113 shall only be prepared and distributed after:

(1) The final draft of the proposed budget forms and budget instructions have been provided to the Legislative Fiscal Analyst and an opportunity provided for recommendations from that office;

(2) The State Budget Administrator and Legislative Fiscal Analyst have met and discussed the recommended changes; and

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

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

Sec. 5. This act shall become operative on July 1, 1978.

Sec. 6. That original sections 81-125 and 81-132, Reissue Revised Statutes of Nebraska, 1943, and section 50-423, Revised Statutes Supplement, 1976, are repealed.

Sec. 7. Since an emergency exists, this act shall be in full force and take effect, from and after its passage and approval, according to law.