

LEGISLATURE OF NEBRASKA

ONE HUNDRED THIRD LEGISLATURE

SECOND SESSION

**LEGISLATIVE BILL 935**

Introduced by Gloor, 35; Dubas, 34; Sullivan, 41.

Read first time January 16, 2014

Committee: Government, Military and Veterans Affairs

A BILL

- 1 FOR AN ACT relating to state government; to require legislative
- 2 approval to move state services between jurisdictions.
- 3 Be it enacted by the people of the State of Nebraska,

1           Section 1. (1) A state agency that seeks to move a state  
2 service from one jurisdiction to another jurisdiction that is  
3 projected to cost or have a fiscal impact of fifteen million dollars  
4 or more shall submit the following information to the Executive Board  
5 of the Legislative Council: (a) A description of the proposed move,  
6 (b) justification for the proposed move, (c) a review of the long-  
7 term cost, if any, (d) measurable goals for improving the quality of  
8 the service, (e) an assessment of the feasibility of alternatives  
9 within the state agency to moving the service, (f) any known or  
10 foreseeable legal, environmental, or other issues related to the  
11 proposed move, and (g) a description of economic development efforts  
12 that will be undertaken to use any facility abandoned by the move or  
13 to create new economic activity for the jurisdiction from which the  
14 service is moved.

15           (2) In calculating the long-term cost under subsection  
16 (1) of this section, the state agency shall project, for twelve  
17 months and for sixty months, the following:

18           (a) Direct costs of providing the state service in the  
19 new jurisdiction and of moving from the other jurisdiction;

20           (b) Indirect costs of providing the state service in the  
21 new jurisdiction and of moving from the other jurisdiction;

22           (c) Any continuing or transitional costs of providing the  
23 state service in the new jurisdiction and of moving from the other  
24 jurisdiction;

25           (d) Additional costs of providing the state service in

1 the new jurisdiction or in the other jurisdiction; and

2 (e) Capital construction costs.

3 (3) The chairperson of the executive board or a committee  
4 staff person of the executive board shall refer the information  
5 submitted pursuant to subsection (1) of this section to the  
6 chairperson of the standing committee of the Legislature which has  
7 subject matter jurisdiction over the state service to be moved. The  
8 standing committee shall (a) investigate the proposed move and (b)  
9 hold a hearing. The standing committee shall introduce a resolution  
10 that approves, disapproves, or takes no position on moving the state  
11 service.

12 (4) Any move of a state service subject to this section  
13 shall be approved by the Legislature prior to implementation. If the  
14 Legislature approves the move by resolution or takes no position on  
15 the move, the state agency may move the state service as described in  
16 the information submitted pursuant to subsection (1) of this section.  
17 If the Legislature disapproves of the move by resolution, the state  
18 agency shall not move the state service.

19 (5) For purposes of this section:

20 (a) Jurisdiction means a county, city, or village;

21 (b) State agency means any agency, board, or commission  
22 of this state other than the University of Nebraska, the Nebraska  
23 state colleges, the courts, the Legislature, or any officer or state  
24 agency established by the Constitution of Nebraska; and

25 (c) State service means the provision of any governmental

1 service by a state agency.

2 (6) This section applies to any move of a state service  
3 proposed on or after January 1, 2013, except that if the move was  
4 proposed prior to the effective date of this act, this section shall  
5 not apply if all sources of funding for the move have been secured or  
6 have been conditionally approved by the effective date of this act.