

AMENDMENTS TO LB605A

Introduced by Mello, 5.

1 1. Insert the following new sections:

2 Section 1. Section 162, Legislative Bill 657, One Hundred Fourth
3 Legislature, First Session, 2015, is amended to read:

4 Sec. 162. AGENCY NO. 46 – DEPARTMENT OF CORRECTIONAL SERVICES
5 Program No. 200 - Operations

	FY2015-16	FY2016-17
6		
7 GENERAL FUND	200,525,132	201,266,791
8 <u>GENERAL FUND</u>	<u>199,642,950</u>	<u>195,663,507</u>
9 CASH FUND	2,126,000	2,126,000
10 FEDERAL FUND est.	1,758,021	1,762,858
11 REVOLVING FUND est.	18,780,835	18,935,977
12 <u>PROGRAM TOTAL</u>	<u>223,189,988</u>	<u>224,091,626</u>
13 <u>PROGRAM TOTAL</u>	<u>222,307,806</u>	<u>218,488,342</u>
14 <u>SALARY LIMIT</u>	<u>105,370,686</u>	<u>107,556,955</u>
15 <u>SALARY LIMIT</u>	<u>105,614,418</u>	<u>107,800,687</u>

16 The unexpended General Fund appropriation balance existing on June
17 30, 2015, is hereby reappropriated.

18 Included in the salary limitations provided by this section is
19 \$3,672,087 for FY2015-16 and \$3,672,087 for FY2016-17 for Revolving Fund
20 salaries for program classifications 390 and 563, that shall not be
21 limited to the amounts shown.

22 The Department of Administrative Services shall monitor the
23 appropriations and expenditures for this program according to the
24 following program classifications:

- 25 No. 260 - Nebraska Correctional Youth Facility
- 26 No. 300 - Tecumseh Correctional Center
- 27 No. 368 - Lincoln Community Corrections Center

- 1 No. 369 - Omaha Community Corrections Center
- 2 No. 370 - Central Office
- 3 No. 372 - Nebraska State Penitentiary
- 4 No. 373 - Nebraska Center for Women - York
- 5 No. 375 - Diagnostic and Evaluation Center
- 6 No. 376 - Lincoln Correctional Center
- 7 No. 377 - Omaha Correctional Center
- 8 No. 386 - McCook Incarceration Work Camp
- 9 No. 389 - Adult Parole Administration
- 10 No. 390 - Federal Surplus Property
- 11 No. 495 - Department Central Warehouse
- 12 No. 563 - Correctional Industries

13 Revolving Fund expenditures shall not be limited to the amounts
14 shown.

15 It is the intent of the Legislature that the Department of
16 Correctional Services investigate the feasibility of leasing the former
17 Lancaster County jail facility located in Air Park and owned by the
18 Airport Authority of the City of Lincoln, Nebraska, and consider making
19 this facility a community corrections facility instead of a minimum-
20 security facility. The department shall issue a report to the
21 Appropriations Committee of the Legislature electronically on this
22 subject by January 1, 2016.

23 It is the intent of the Legislature that the Department of
24 Correctional Services reduce mandatory overtime at the department's
25 facilities. The department shall examine reducing mandatory overtime by
26 studying its pay structure, including, but not limited to, adopting a pay
27 structure that allows employees to advance through the pay line, adopting
28 a step plan or a similar-type plan, or by adopting another method that
29 gives incentives for employees to remain employed by the department. The
30 department may conduct a salary survey to see if the department's
31 salaries are competitive with other entities which it competes with for

1 employees. The department shall issue a report to the Appropriations
2 Committee of the Legislature electronically on this subject by January 1,
3 2016.

4 It is the intent of the Legislature that the Department of
5 Correctional Services implement a needs assessment regarding behavioral
6 and mental health treatment and staffing. The needs assessment shall be
7 completed by appropriately trained mental health professionals. The
8 assessment shall include:

9 (1) Review and summary of relevant existing data sources;

10 (2) A detailed review of need factors in the Department of
11 Correctional Services population including risk behaviors, mental health
12 needs, behavioral health needs, and diagnosis;

13 (3) A detailed review of existing treatment and analysis of the
14 adequacy of that treatment based on:

15 (a) Professional standards of care;

16 (b) Best practices;

17 (c) Availability of programming aligned with mental health needs and
18 diagnosis (using valid instrumentation); and

19 (d) Availability in different facilities and levels of custody; and

20 (4) Analysis of needs, based on data gathered regarding:

21 (a) Staffing needs to meet professional standards of care;

22 (b) Needs related to developing new or different treatment based on
23 needs analysis; and

24 (c) Needs related to achieving an appropriate level of service that
25 meets the goals of institutional and community safety and community
26 integration.

27 The department shall issue a report to the Appropriations Committee
28 of the Legislature electronically on this subject by January 1, 2016.

29 There is included in the appropriation to this program for FY2015-16
30 \$5,000,000 General Funds, which shall only be used to contract with
31 county jail facilities to house Department of Correctional Services

1 facilities inmates on a temporary basis. If the department estimates that
2 the need to contract with county jail facilities to house department
3 facilities inmates still exists in FY2016-17, the department may request
4 General Funds for this purpose. It is the intent of the Legislature that
5 no further funding be provided after FY2016-17 to contract with county
6 jail facilities to house Department of Correctional Services facilities
7 inmates.

8 It is intended that the Department of Correctional Services shall
9 maintain a Department Contingency Fund and a Department Equipment Fund.

10 Sec. 4. There is hereby appropriated (1) \$308,328 from the General
11 Fund for FY2015-16 and (2) \$422,651 from the General Fund for FY2016-17
12 to the Supreme Court, for Program 52, to aid in carrying out the
13 provisions of Legislative Bill 605, One Hundred Fourth Legislature, First
14 Session, 2015.

15 Total expenditures for permanent and temporary salaries and per
16 diems from funds appropriated in this section shall not exceed \$66,718
17 for FY2015-16 or \$122,624 for FY2016-17.

18 Sec. 5. There is hereby appropriated (1) \$22,500 from the Probation
19 Cash Fund for FY2015-16 and (2) \$260,500 from the Probation Cash Fund for
20 FY2016-17 to the Supreme Court, for Program 67, to aid in carrying out
21 the provisions of Legislative Bill 605, One Hundred Fourth Legislature,
22 First Session, 2015.

23 No expenditures for permanent and temporary salaries and per diems
24 for state employees shall be made from funds appropriated in this
25 section.

26 Sec. 6. There is hereby appropriated (1) \$2,336,900 from the General
27 Fund for FY2015-16 and (2) \$9,520,219 from the General Fund for FY2016-17
28 to the Supreme Court, for Program 435, to aid in carrying out the
29 provisions of Legislative Bill 605, One Hundred Fourth Legislature, First
30 Session, 2015.

31 Total expenditures for permanent and temporary salaries and per

1 diems from funds appropriated in this section shall not exceed \$1,865,583
2 for FY2015-16 or \$4,088,759 for FY2016-17.

3 Sec. 7. There is hereby appropriated (1) \$216,804 from the Supreme
4 Court Automation Cash Fund for FY2015-16 and (2) \$241,840 from the
5 Supreme Court Automation Cash Fund for FY2016-17 to the Supreme Court,
6 for Program 570, to aid in carrying out the provisions of Legislative
7 Bill 605, One Hundred Fourth Legislature, First Session, 2015.

8 Total expenditures for permanent and temporary salaries and per
9 diems from funds appropriated in this section shall not exceed \$43,712
10 for FY2015-16 or \$59,740 for FY2016-17.

11 Sec. 8. There is hereby appropriated (1) \$-0- from the General Fund
12 for FY2015-16 and (2) \$600,109 from the General Fund for FY2016-17 to the
13 Nebraska Commission on Law Enforcement and Criminal Justice, for Program
14 198, to aid in carrying out the provisions of Legislative Bill 605, One
15 Hundred Fourth Legislature, First Session, 2015.

16 Total expenditures for permanent and temporary salaries and per
17 diems from funds appropriated in this section shall not exceed \$-0- for
18 FY2015-16 or \$49,052 for FY2016-17.

19 There is included in the appropriation to this program for FY2015-16
20 \$-0- General Funds for state aid, which shall only be used for such
21 purpose. There is included in the appropriation to this program for
22 FY2016-17 \$500,000 General Funds for state aid, which shall only be used
23 for such purpose.

24 Sec. 9. Original section 162, Legislative Bill 657, One Hundred
25 Fourth Legislature, First Session, 2015, is repealed.

26 2. Renumber the remaining sections accordingly.