

LEGISLATIVE BILL 421

Approved by the Governor April 26, 1985

Introduced by Government, Military & Veterans Affairs
Committee, Landis, 46, Chairperson;
Abboud, 12; Chambers, 11; Chronister, 18;
Hoagland, 6; Peterson, 21; Rogers, 41

AN ACT relating to the Policy Research Office; to amend sections 84-133, 84-135, 84-152, 84-153, and 85-975, Reissue Revised Statutes of Nebraska, 1943; to create funds; to eliminate the involvement of the Policy Research Office in certain zoning activities; to harmonize provisions; to eliminate a provision for state review of certain hospital authorities; to repeal state zoning review program provisions; to eliminate certain report requirements; and to repeal the original sections, and also sections 23-343.81, 81-1136, 84-151, 84-154, and 84-156 to 84-160, Reissue Revised Statutes of Nebraska, 1943.

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

Section 1. That section 84-133, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

84-133. (1) There is created a Policy Research Office in the executive branch of state government. The Policy Research Office shall consist of the Governor, a Director of Policy Research who shall be appointed by the Governor and serve at his or her pleasure, and such other employees as are appointed by the Director of Policy Research to achieve the purposes of this act and for which adequate funding is available.

(2) The Governor, through the Policy Research Office, shall encourage coordination of policy development in state government, inquire into the methods of policy and program development in state government, and provide adequate systems of records for policy development purposes, and may prescribe the institution and uses of standards for effective state agency policy development.

(3) The Governor may direct any state department, agency, or institution of state government to furnish the Policy Research Office with such information, personnel, equipment, and services as are necessary to enable it to carry out its responsibilities and duties and to prescribe the terms thereof, including reimbursement of costs thereof, if any.

(4) The Governor shall be permitted to appoint the Director of Policy Research to serve as an ex officio,

nonvoting member of any committee, commission, council, or other similar organization of a state agency, department, institution, or group of such bodies that is concerned with planning, research, or policy development. Opportunities for such representation on any public, nonfederal, regional bodies concerned with planning or research and operating wholly or partially within Nebraska shall also be provided when requested by the Governor. The 7 PROVIDED, that the Director of Policy Research may in turn delegate such membership to his or her staff or to an appropriate official of another state agency. The state, interstate, and regional organizations mentioned in this subsection shall make any necessary organizational adjustments to receive the ex officio member if requested to do so by the Governor.

(5) The Governor may delegate any of his or her powers, duties, and responsibilities as conferred by this act to the Director of Policy Research.

(6) There is hereby created a fund to be known as the Policy Research Office Revolving Fund. All money credited to the fund shall be used by the Policy Research Office to enable it to carry out its statutory responsibilities and duties in research and policy development. Any money in the fund available for investment shall be invested by the state investment officer pursuant to sections 72-1237 to 72-1269.

Sec. 2. That section 84-135, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

84-135. The Policy Research Office shall be the principal state agency to coordinate policy development relating to the state's social, economic, and physical resources and to coordinate programs administered by the state and its political subdivisions. It shall provide available information, assistance, and staff support to the executive and legislative branches by all appropriate means. Furthermore, the office may, except as otherwise specified by the Governor:

(1) Identify long-range state problems and development opportunities and propose alternative policy options which may be submitted by the Governor to the Legislature for its consideration;

(2) Formulate for the Governor or the Legislature, policy options for the orderly and coordinated growth of the state, except 7 PROVIDED, that functional plans shall only be formulated by the Policy Research Office when no department, agency, or institution has been given the responsibility for such planning or when such a body is not fulfilling its assigned planning responsibilities;

(3) Prepare special reports and furnish the results of the office's research and other activities through publications, memoranda, briefings, and expert testimony;

(4) Establish and require the use of standard basic population and economic data for all state departments, agencies, and institutions;

(5) Analyze and project the quality and quantity of services which may be necessary for the continued and orderly growth of the state, taking into consideration the relationship of activities, capabilities, and future plans of local units of government, area planning commissions, councils of government, transportation authorities, development districts, private enterprise, state government, the federal government, and other public and private bodies;

(6) Encourage the coordination of the planning activities of all state departments, agencies, and institutions, and political subdivisions of the state;

(7) Advise, if requested, and consult with regional, joint, and local planning agencies;

(8) Monitor and participate in interstate policy development, planning, and other activities related thereto;

(9) Survey, review, and appraise the accomplishments of state government in achieving the goals and objectives set forth in legislation or reflected in directives from the Governor or state agencies;

(10) Assist the Department of Administrative Services with the capital improvement programming process;

(11) Apply for and accept advances, loans, grants, contributions, and any other form of assistance from the federal government, the state, or ~~from~~ any public or private sources for the purposes of this act under such conditions as may be required, and ~~to~~ execute contracts or agreements in connection therewith. The office may include in any contract for financial assistance with the federal government such conditions imposed pursuant to federal laws as it may deem reasonable and appropriate and which are not inconsistent with the purposes of this act. There is hereby created a fund to be known as the Policy Research Cash Fund. All money credited to the fund shall be used by the Policy Research Office to carry out the responsibilities and duties of this section. Any money in the fund available for investment shall be invested by the state investment officer pursuant to sections 72-1237 to 72-1269;

(12) Serve as state government's applicant agency, or coapplicant ~~when where~~ existing or future federal legislation specifically requires another applicant, but not necessarily administering agency, for all planning, programming, or research grants to transportation authorities and to state departments, agencies, or institutions. ~~The ; PROVIDED; that the~~ Policy Research Office may delegate its applicant or coapplicant role upon such terms and for such periods of time as it shall deem appropriate;

(13) Enter into agreements with state departments and other agencies of state government and Nebraska state institutions of higher education for the temporary use of personnel in pursuit of the purposes of this act;

(14) Contract for professional or consultant services with state departments and agencies, Nebraska institutions of higher education, other public bodies, and private sources in pursuit of the purposes of this act;

(15) Review and comment on all local and regional applications for federal planning assistance. This is PROVIDED, that such authority may be delegated to regional planning commissions, councils of government, or to such other state agency upon such terms as it deems appropriate; and

(16) Exercise all other powers necessary and proper for the discharge of its duties, including the promulgation of reasonable rules and regulations.

The Policy Research Office shall periodically review the organization and programs of state government and make recommendations to the Governor on ways to more effectively organize state government, eliminate duplication of units of government and of programs, and encourage efficiency and economy.

Sec. 3. That section 84-152, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

~~84-152-~~ Since counties containing larger municipalities are typically experiencing population and economic growth which promotes increased urban and rural land-use conflicts, the county government of a county that contains some or all portions of a city of the first class is strongly encouraged to prepare a comprehensive development plan that meets the requirements of section 23-114.02, adopt zoning and subdivision regulations covering all portions of its regulatory jurisdiction, and begin such an organized and staffed program to enforce such zoning and subdivision regulations. ~~as the Policy Research Office, acting under authority granted by section 84-156, would determine to be adequate.~~

Sec. 4. That section 84-153, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

~~84-153-~~ Effective July 1, 1976, a county government, city of the metropolitan class, or city of the primary class that is enforcing zoning and subdivision regulations shall, upon request, provide either directly or through an intergovernmental program, all the necessary services and staff to assist villages and cities of the second class that are located wholly or partially within the county with the enforcement of their individual zoning and subdivision regulations, and such assistance may, at the option of the county, city of the metropolitan class, or city of the primary class, also be rendered to cities of the first class upon request. The county or municipality

may assess the full costs of such assistance to a municipality served. The county or municipality providing the service may require a one-year notice before beginning or terminating such services. A municipality receiving service may terminate such an arrangement only when it demonstrates to the Policy Research Office that it has the intention and capabilities to provide adequate regulatory programs either by means of its own program or through an intergovernmental program.

Sec. 5. That section 85-975, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

85-975. The Legislative Performance Review and Audit Committee shall establish an advisory committee of information suppliers and users to advise the committee in carrying out sections 85-968 to 85-979. The advisory committee shall include representatives from each public postsecondary education system, the Department of Administrative Services, the State Department of Education, the State Office of Planning and Programming Policy Research Office, the Nebraska Coordinating Commission for Postsecondary Education, the State Auditor, and such other representatives as may be necessary to advise the committee.

Sec. 6. That original sections 84-133, 84-135, 84-152, 84-153, and 85-975, Reissue Revised Statutes of Nebraska, 1943, and also sections 23-343.81, 81-1136, 84-151, 84-154, and 84-156 to 84-160, Reissue Revised Statutes of Nebraska, 1943, are repealed.