

LEGISLATURE OF NEBRASKA
ONE HUNDRED FOURTH LEGISLATURE
FIRST SESSION

LEGISLATIVE BILL 592

Introduced by Bolz, 29; Chambers, 11; Krist, 10; Mello, 5; Schumacher, 22; Seiler, 33.

Read first time January 21, 2015

Committee: Judiciary

1 A BILL FOR AN ACT relating to corrections; to amend sections 71-907,
2 83-171, 83-173, 83-174.01, 83-180, 83-186.01, 83-188, 83-1,100,
3 83-1,107, 83-1,135, 83-903, 83-904, 83-922, 83-931, 83-932, 83-933,
4 and 83-939, Reissue Revised Statutes of Nebraska; to redefine the
5 term mentally ill and the term dangerous sex offender; to provide a
6 duty for the Director of Correctional Services; to provide notice
7 and change provisions regarding release of persons who are mentally
8 ill and dangerous as prescribed; to change provisions relating to
9 the Board of Parole, the Department of Correctional Services, and
10 the Office of Parole Administration; to rename and transfer
11 supervision of the Division of Community-Centered Services; to
12 authorize and mandate the Department of Correctional Services to
13 provide mental health care and establish certain release and reentry
14 programs for mentally ill committed offenders; to make permanent a
15 reentry planning pilot program; to harmonize provisions; and to
16 repeal the original sections.

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

1 Section 1. Section 71-907, Reissue Revised Statutes of Nebraska, is
2 amended to read:

3 71-907 Mentally ill means having a psychiatric or personality
4 disorder that involves a severe or substantial impairment of a person's
5 thought processes, sensory input, mood balance, memory, or ability to
6 reason which substantially interferes with such person's ability to meet
7 the ordinary demands of living or interferes with the safety or well-
8 being of others.

9 Sec. 2. Section 83-171, Reissue Revised Statutes of Nebraska, is
10 amended to read:

11 83-171 There is hereby created a Department of Correctional Services
12 which shall:

13 (1) Maintain and administer facilities required for the custody,
14 control, correctional treatment, and rehabilitation of persons committed
15 to the department and for the safekeeping of such other persons as may be
16 remanded to the department in accordance with law; and

17 ~~(2) Supervise persons committed to the department on parole and~~
18 ~~administer parole services in the facilities and in the community; and~~

19 (2 3) Develop policies and programs for the correctional treatment
20 and rehabilitation of persons committed to the department.

21 Sec. 3. Section 83-173, Reissue Revised Statutes of Nebraska, is
22 amended to read:

23 83-173 The Director of Correctional Services shall:

24 (1) Supervise and be responsible for the administration of the
25 Department of Correctional Services;

26 (2) Establish, consolidate, or abolish any administrative
27 subdivision within the department and appoint and remove for cause the
28 heads thereof and delegate appropriate powers and duties to them;

29 (3) Establish and administer policies and programs for the operation
30 of the facilities in the department and for the custody, control, safety,
31 correction, and rehabilitation of persons committed to the department;

1 (4) Appoint and remove the chief executive officer of each facility
2 and delegate appropriate powers and duties to him or her;

3 (5) Appoint and remove employees of the department and delegate
4 appropriate powers and duties to them;

5 (6) Adopt and promulgate rules and regulations for the management,
6 correctional treatment, and rehabilitation of persons committed to the
7 department, the administration of facilities, and the conduct of officers
8 and employees under his or her jurisdiction;

9 (7) Designate the place of confinement of persons committed to the
10 department subject to section 83-176;

11 (8) Establish and administer policies that ensure that complete and
12 up-to-date electronic records are maintained for each person committed to
13 the department, including, but not limited to, programming
14 recommendations, program completions, and time spent in housing other
15 than general population;

16 (9 8) Collect, develop, and maintain statistical information
17 concerning persons committed to the department, sentencing practices, and
18 correctional treatment as may be useful in penological research or in the
19 development of treatment programs;

20 (10 9) Provide training programs designed to equip employees for
21 duty in the facilities and related services of the department and to
22 raise and maintain the educational standards and the level of performance
23 of such employees;

24 (11 10) Notify law enforcement agencies of upcoming furloughs as
25 required by section 83-173.01 and section 6 of this act;

26 (12 11) Issue or authorize the issuance of a warrant for the arrest
27 of any person committed to the department who has escaped from the
28 custody of the department; and

29 (13 12) Exercise all powers and perform all duties necessary and
30 proper in carrying out his or her responsibilities.

31 Sec. 4. Section 83-174.01, Reissue Revised Statutes of Nebraska, is

1 amended to read:

2 83-174.01 For purposes of sections 83-174 to 83-174.05:

3 (1) Dangerous sex offender means ~~(a)~~ a person who suffers from a
4 mental illness which makes the person likely to engage in repeat acts of
5 sexual violence, who has been convicted of one or more sex offenses, and
6 who is substantially unable to control his or her criminal behavior~~or~~
7 ~~(b) a person with a personality disorder which makes the person likely to~~
8 ~~engage in repeat acts of sexual violence, who has been convicted of two~~
9 ~~or more sex offenses, and who is substantially unable to control his or~~
10 ~~her criminal behavior;~~

11 (2) Likely to engage in repeat acts of sexual violence means the
12 person's propensity to commit sex offenses resulting in serious harm to
13 others is of such a degree as to pose a menace to the health and safety
14 of the public;

15 (3) Person who suffers from a mental illness means an individual who
16 has a mental illness as defined in section 71-907;

17 ~~(4) Person with a personality disorder means an individual diagnosed~~
18 ~~with a personality disorder;~~

19 (4 5) Sex offense means any of the offenses listed in section
20 29-4003 for which registration as a sex offender is required; and

21 (5 6) Substantially unable to control his or her criminal behavior
22 means having serious difficulty in controlling or resisting the desire or
23 urge to commit sex offenses.

24 Sec. 5. Section 83-180, Reissue Revised Statutes of Nebraska, is
25 amended to read:

26 83-180 (1) When a physician designated by the Director of
27 Correctional Services finds that a person committed to the department
28 suffers from a physical disease or defect, or when a physician or
29 psychologist designated by the director finds that a person committed to
30 the department suffers from a mental illness as defined in section 71-907
31 ~~disease or defect~~, the chief executive officer of the facility may order

1 such person to be segregated from other persons in the facility. If the
2 physician or psychologist is of the opinion that the person cannot be
3 given proper treatment in that facility, the director may arrange for his
4 or her transfer for examination, study, and treatment to any medical-
5 correctional facility, or to another institution in the Department of
6 Health and Human Services where proper treatment is available. A person
7 who is so transferred shall remain subject to the jurisdiction and
8 custody of the Department of Correctional Services and shall be returned
9 to the department when, prior to the expiration of his or her sentence,
10 treatment in such facility is no longer necessary.

11 (2) When the physician or psychologist designated by the Director of
12 Correctional Services finds that a person committed to the department
13 suffers from a physical or mental disease or defect or mental illness
14 which in his or her opinion cannot be properly treated in any facility or
15 institution in the Department of Health and Human Services, the director
16 may arrange for his or her transfer for treatment to a hospital or
17 psychiatric facility outside the department. The director shall make
18 appropriate arrangements with other public or private agencies for the
19 transportation to, and for the care, custody, and security of the person
20 in, such hospital or psychiatric facility. While receiving treatment in
21 such hospital or psychiatric facility, the person shall remain subject to
22 the jurisdiction and custody of the Department of Correctional Services
23 and shall be returned to the department when, prior to the expiration of
24 his or her sentence, such hospital or psychiatric treatment is no longer
25 necessary.

26 (3) The director shall adopt and promulgate rules and regulations to
27 establish evidence-based criteria which the department shall use to
28 identify any person nearing release that should be evaluated to determine
29 whether he or she is a mentally ill and dangerous person as defined in
30 section 71-908. When two psychiatrists designated by the director
31 Director of Correctional Services find that a person about to be released

1 or discharged from any facility is a mentally ill and dangerous person as
2 defined in section 71-908 suffers from a mental disease or defect of such
3 a nature that his or her release or discharge will endanger the public
4 safety or the safety of the offender, the director shall transfer him or
5 her to, or if he or she has already been transferred, permit him or her
6 to remain in, a psychiatric facility in the Department of Health and
7 Human Services and shall promptly commence proceedings under the Nebraska
8 Mental Health Commitment Act applicable to the civil commitment and
9 detention of persons suffering from such disease or defect.

10 (4) The director shall adopt and promulgate rules and regulations to
11 ensure that all persons who are incarcerated receive a full mental health
12 screening within the first two weeks of intake to determine whether or
13 not an inmate is mentally ill as defined in section 71-907. Such
14 determination shall be reflected in the inmate's individualized treatment
15 plan and shall include adequate mental health treatment. If, at any point
16 during his or her incarceration, an inmate is found to be mentally ill,
17 such determination shall be reflected in the inmate's individualized
18 treatment plan and shall include adequate mental health treatment.

19 Sec. 6. Two weeks prior to releasing a person on furlough who has
20 been evaluated by the department as potentially mentally ill and
21 dangerous, the director shall deliver a copy of the release authorization
22 to at least one law enforcement agency in the jurisdiction in which such
23 person is authorized to temporarily reside.

24 Sec. 7. (1) At least ninety days prior to the release from
25 incarceration or civil commitment or the termination of probation or
26 parole supervision of a person who has been evaluated by the department
27 as potentially mentally ill and dangerous, the agency with jurisdiction
28 over the person shall provide notice to the Attorney General, the
29 Nebraska State Patrol, the prosecuting county attorney, and the county
30 attorney in the county in which the person is incarcerated, supervised,
31 or committed.

1 (2) The board shall also provide notice to the Attorney General, the
2 Nebraska State Patrol, the prosecuting county attorney, and the county
3 attorney in the county in which the person is incarcerated or committed
4 within five days after scheduling a parole hearing for a person who has
5 been evaluated by the department as potentially mentally ill and
6 dangerous.

7 (3) A county attorney shall, no later than forty-five days after
8 receiving notice of the pending release of a person pursuant to this
9 section, notify the Attorney General whether the county attorney intends
10 to initiate civil commitment proceedings against the person upon his or
11 her release from custody.

12 Sec. 8. Section 83-186.01, Reissue Revised Statutes of Nebraska, is
13 amended to read:

14 83-186.01 (1) The Legislature finds that:

15 (a) Research reveals that children who have parents involved in
16 their lives perform better academically and socially in school,
17 experience fewer mental health and substance abuse issues, and are less
18 likely to commit serious crime;

19 (b) Strategies to address family stability and intergenerational
20 poverty are specifically needed for children with incarcerated parents;
21 and

22 (c) Research reveals that family-based reentry planning, including
23 relationship development and housing and employment strategies, results
24 in lower recidivism and greater family economic stability.

25 (2) The ~~Department of Correctional Services~~ shall
26 ~~implement a establish a two-year pilot~~ program for the purpose of
27 providing in Nebraska adult correctional facilities an evidence-based
28 program of parent education, early literacy, relationship skills
29 development, and reentry planning involving family members of
30 incarcerated parents prior to their release. Incarcerated parents of
31 children between birth and five years of age shall have priority for

1 participation in the program. The department may award a contract to
2 operate the pilot program. Such contract shall be based on competitive
3 bids as provided in sections 73-101 to 73-105. The department shall track
4 data related to program participation and recidivism.

5 (3) It is the intent of the Legislature to appropriate ~~XXX two~~
6 ~~hundred fifty thousand dollars from the General Fund to the department~~
7 ~~annually in each of fiscal years 2013-14 and 2014-15~~ for purposes of
8 funding the ~~pilot~~ program required by this section.

9 Sec. 9. Section 83-188, Reissue Revised Statutes of Nebraska, is
10 amended to read:

11 83-188 There is hereby created the Board of Parole. For
12 ~~administrative purposes only, the board shall be within the Board of~~
13 ~~Pardons.~~ Nothing in the Nebraska Treatment and Corrections Act shall be
14 construed to give the director or the Board of Pardons any authority,
15 power, or responsibility over the Board of Parole, its employees, or the
16 exercise of its functions under the provisions of the act. The employees
17 of the Board of Parole shall be covered by the State Personnel System.

18 Sec. 10. Section 83-1,100, Reissue Revised Statutes of Nebraska, is
19 amended to read:

20 83-1,100 There is hereby created ~~within the department~~ the Office of
21 Parole Administration. The employees of the office shall consist of the
22 Parole Administrator, the field parole serviceofficers, and all other
23 office staff. The office shall be responsible for the following:

24 (1) The administration of parole services in the community;
25 (2) The maintenance of all records and files associated with the
26 Board of Parole;

27 (3) The daily supervision and training of staff members of the
28 office; and

29 (4) The assessment, evaluation, and supervision of individuals who
30 are subject to lifetime community supervision pursuant to section
31 83-174.03.

1 Nothing in this section shall be construed to prohibit the office
2 from maintaining daily records and files associated with the Board of
3 Pardons.

4 Sec. 11. Section 83-1,107, Reissue Revised Statutes of Nebraska, is
5 amended to read:

6 83-1,107 (1)(a) Within sixty days after initial classification and
7 assignment of any offender committed to the department, all available
8 information regarding such committed offender shall be reviewed and a
9 committed offender department-approved personalized program plan document
10 shall be drawn up. The document shall specifically describe the
11 department-approved personalized program plan and the specific goals the
12 department expects the committed offender to achieve. The document shall
13 also contain a realistic schedule for completion of the department-
14 approved personalized program plan. The department-approved personalized
15 program plan shall be fully explained to the committed offender. The
16 department shall provide programs to allow compliance by the committed
17 offender with the department-approved personalized program plan.

18 Programming may include, but is not limited to:

19 (i) Academic and vocational education, including teaching such
20 classes by qualified offenders;

21 (ii) Substance abuse treatment;

22 (iii) Mental health and psychiatric treatment, including criminal
23 personality programming;

24 (iv) Constructive, meaningful work programs; and

25 (v) Any other program deemed necessary and appropriate by the
26 department.

27 (b) A modification in the department-approved personalized program
28 plan may be made to account for the increased or decreased abilities of
29 the committed offender or the availability of any program. Any
30 modification shall be made only after notice is given to the committed
31 offender. The department may not impose disciplinary action upon any

1 committed offender solely because of the committed offender's failure to
2 comply with the department-approved personalized program plan, but such
3 failure may be considered by the board in its deliberations on whether or
4 not to grant parole to a committed offender.

5 (2)(a) The department shall reduce the term of a committed offender
6 by six months for each year of the offender's term and pro rata for any
7 part thereof which is less than a year.

8 (b) In addition to reductions granted in subdivision (2)(a) of this
9 section, the department shall reduce the term of a committed offender by
10 three days on the first day of each month following a twelve-month period
11 of incarceration within the department during which the offender has not
12 been found guilty of (i) a Class I or Class II offense or (ii) more than
13 three Class III offenses under the department's disciplinary code.
14 Reductions earned under this subdivision shall not be subject to forfeit
15 or withholding by the department.

16 (c) The total reductions under this subsection shall be credited
17 from the date of sentence, which shall include any term of confinement
18 prior to sentence and commitment as provided pursuant to section
19 83-1,106, and shall be deducted from the maximum term, to determine the
20 date when discharge from the custody of the state becomes mandatory.

21 (3) While the offender is in the custody of the department,
22 reductions of terms granted pursuant to subdivision (2)(a) of this
23 section may be forfeited, withheld, and restored by the chief executive
24 officer of the facility with the approval of the director after the
25 offender has been notified regarding the charges of misconduct.

26 (4) The department shall ensure that a release or reentry plan is
27 complete or near completion when the offender has served at least eighty
28 percent of his or her sentence. For purposes of this subsection, release
29 or reentry plan means a comprehensive and individualized strategic plan
30 to ensure an individual's safe and effective transition or reentry into
31 the community to which he or she resides with the primary goal of

1 reducing recidivism. At a minimum, the release or reentry plan shall
2 include, but not be limited to, consideration of the individual's housing
3 needs, medical or mental health care needs, and transportation and job
4 needs and shall address an individual's barriers to successful release or
5 reentry in order to prevent recidivism. The release or reentry plan does
6 not include an individual's programming needs included in the
7 individual's personalized program plan for use inside the prison.

8 (5)(a) The department shall make treatment programming available to
9 committed offenders as provided in section 83-1,110.01 and shall include
10 continuing participation in such programming as part of each offender's
11 parolee personalized program plan.

12 (b) Any committed offender with a mental illness or mental
13 disability shall be provided with appropriate mental health care. The
14 mental health care shall utilize evidenced-based therapy models that
15 include an evaluation component to track the effectiveness of
16 interventions.

17 (c) Any committed offender with a mental illness or mental
18 disability shall be evaluated before release to ensure that adequate
19 monitoring and programming of the committed offender will take place or,
20 if appropriate, that commitment proceeding under the Nebraska Mental
21 Health Commitment Act or the Sex Offender Commitment Act will take place.

22 (6)(a) Within thirty days after any committed offender has been
23 paroled, all available information regarding such parolee shall be
24 reviewed and a parolee personalized program plan document shall be drawn
25 up and approved by the Office of Parole Administration. The document
26 shall specifically describe the approved personalized program plan and
27 the specific goals the office expects the parolee to achieve. The
28 document shall also contain a realistic schedule for completion of the
29 approved personalized program plan. The approved personalized program
30 plan shall be fully explained to the parolee. During the term of parole,
31 the parolee shall comply with the approved personalized program plan and

1 the office shall provide programs to allow compliance by the parolee with
2 the approved personalized program plan.

3 Programming may include, but is not limited to:

4 (i) Academic and vocational education;

5 (ii) Substance abuse treatment;

6 (iii) Mental health and psychiatric treatment, including criminal
7 personality programming;

8 (iv) Constructive, meaningful work programs;

9 (v) Community service programs; and

10 (vi) Any other program deemed necessary and appropriate by the
11 office.

12 (b) A modification in the approved personalized program plan may be
13 made to account for the increased or decreased abilities of the parolee
14 or the availability of any program. Any modification shall be made only
15 after notice is given to the parolee. Intentional failure to comply with
16 the approved personalized program plan by any parolee as scheduled for
17 any year, or pro rata part thereof, shall cause disciplinary action to be
18 taken by the office resulting in the forfeiture of up to a maximum of
19 three months' good time for the scheduled year.

20 (7) While the offender is in the custody of the board, reductions of
21 terms granted pursuant to subdivision (2)(a) of this section may be
22 forfeited, withheld, and restored by the administrator with the approval
23 of the director after the offender has been notified regarding the
24 charges of misconduct or breach of the conditions of parole. In addition,
25 the board may recommend such forfeitures of good time to the director.

26 (8) Good time or other reductions of sentence granted under the
27 provisions of any law prior to July 1, 1996, may be forfeited, withheld,
28 or restored in accordance with the terms of the Nebraska Treatment and
29 Corrections Act.

30 Sec. 12. Section 83-903, Reissue Revised Statutes of Nebraska, is
31 amended to read:

1 83-903 The Board of Parole Department of Correctional Services, in
2 consultation with the department Board of Parole, shall develop a reentry
3 program for individuals incarcerated in a department correctional
4 facility, individuals who have been discharged from a department
5 correctional facility within the prior eighteen months, and parolees. The
6 Office of Parole Administration department shall hire a reentry program
7 administrator to develop and oversee the reentry program and additional
8 staff as needed to implement the reentry program. The purpose of the
9 reentry program is to facilitate a standard systemwide program of reentry
10 for individuals leaving correctional facilities or transitioning off
11 community supervision. The primary objectives of the reentry program are
12 to reduce recidivism, to identify, assess, and provide treatment options
13 for individuals with mental illness, to increase public safety, and to
14 improve the overall transition of the individual from the criminal
15 justice system into the community.

16 Sec. 13. Section 83-904, Reissue Revised Statutes of Nebraska, is
17 amended to read:

18 83-904 (1) The Vocational and Life Skills Program is created within
19 the Office of Parole Administration Department of Correctional Services,
20 in consultation with the department Board of Parole. The program shall
21 provide funding to aid in the establishment and provision of community-
22 based vocational training and life skills training for adults who are
23 incarcerated, formerly incarcerated, or serving a period of supervision
24 on either probation or parole.

25 (2) The Vocational and Life Skills Programming Fund is created. The
26 fund shall consist of appropriations from the Legislature, funds donated
27 by nonprofit entities, funds from the federal government, and funds from
28 other sources. Up to thirty percent of the fund may be used for staffing
29 the reentry program created under section 12 of this act 83-903 and to
30 provide treatment to individuals preparing for release from
31 incarceration. At least seventy percent of the fund shall be used to

1 provide grants to community-based organizations, community colleges,
2 federally recognized or state-recognized Indian tribes, or nonprofit
3 organizations that provide vocational and life skills programming and
4 services to adults and juveniles who are incarcerated, who have been
5 incarcerated within the prior eighteen months, or who are serving a
6 period of supervision on either probation or parole. The office
7 department, in awarding grants, shall give priority to programs,
8 services, or training that results in meaningful employment, and no money
9 from the fund shall be used for capital construction. Any money in the
10 fund available for investment shall be invested by the state investment
11 officer pursuant to the Nebraska Capital Expansion Act and the Nebraska
12 State Funds Investment Act. Investment earnings from investment of money
13 in the fund shall be credited to the fund.

14 (3) The office department, in consultation with the department Board
15 of Parole, shall adopt and promulgate rules and regulations to carry out
16 the Vocational and Life Skills Program. The rules and regulations shall
17 include, but not be limited to, a plan for evaluating the effectiveness
18 of programs, services, and training that receive funding and a reporting
19 process for aid recipients. The reentry program administrator shall
20 report quarterly to the Governor and the Clerk of the Legislature
21 beginning October 1, 2014, on the distribution and use of the aid
22 distributed under the Vocational and Life Skills Program, including how
23 many individuals received programming, the types of programming, the cost
24 per individual for each program, service, or training provided, how many
25 individuals successfully completed their programming, and information on
26 any funds that have not been used. The report to the Clerk of the
27 Legislature shall be submitted electronically. Any funds not distributed
28 to community-based organizations, community colleges, federally
29 recognized or state-recognized Indian tribes, or nonprofit organizations
30 under this subsection shall be retained by the department to be
31 distributed on a competitive basis under the Vocational and Life Skills

1 Program. These funds shall not be expended by the department for any
2 other purpose.

3 Sec. 14. Section 83-931, Reissue Revised Statutes of Nebraska, is
4 amended to read:

5 ~~83-931 The Chairperson of the Board of Parole Director of~~
6 ~~Correctional Services shall have power to appoint as assistant director~~
7 ~~of the Bureau Division of Community-Centered Services any person who has~~
8 ~~an appropriate academic background and adequate training and experience~~
9 ~~in corrections.~~

10 Sec. 15. Section 83-932, Reissue Revised Statutes of Nebraska, is
11 amended to read:

12 ~~83-932 The Bureau Division of Community-Centered Services shall:~~

13 ~~(1) Cooperate with the Board of Parole and the Office of Parole~~
14 ~~Administration in the coordination of Coordinate all adult parole~~
15 ~~programs and services in the state and supervise the administration of~~
16 ~~such programs and services;~~

17 ~~(2) Cooperate with the Division of Adult Services of the Department~~
18 ~~of Correctional Services in the coordination of volunteer programs in the~~
19 ~~adult correctional facilities;~~

20 ~~(3) Coordinate and supervise community educational programs to~~
21 ~~increase community awareness and understanding of the community~~
22 ~~rehabilitative programs of the bureau division; and~~

23 ~~(4) Perform all duties necessary to carry out the provisions of this~~
24 ~~section.~~

25 Sec. 16. Section 83-933, Reissue Revised Statutes of Nebraska, is
26 amended to read:

27 ~~83-933 The Office of Parole Administration shall be within the Board~~
28 ~~of Parole Division of Community-Centered Services. Subject to the~~
29 ~~supervision of the chairperson of the Board of Parole assistant director~~
30 ~~of the division, the Parole Administrator shall be charged with the~~
31 ~~administration of parole services in the community pursuant to the~~

1 provisions of section 83-1,102, implementation and administration of the
2 Interstate Compact for Adult Offender Supervision as it affects parolees,
3 community supervision of sex offenders pursuant to section 83-174.03, and
4 supervision of parolees either paroled in Nebraska and supervised in
5 another state or paroled in another state and supervised in Nebraska,
6 pursuant to the compact.

7 Sec. 17. Section 83-1,135, Reissue Revised Statutes of Nebraska, is
8 amended to read:

9 83-1,135 Sections 83-170 to 83-1,135 and sections 6, 7, 12, 13, 14,
10 15, and 16 of this act shall be known and may be cited as the Nebraska
11 Treatment and Corrections Act.

12 Sec. 18. Section 83-922, Reissue Revised Statutes of Nebraska, is
13 amended to read:

14 83-922 The Department of Correctional Services shall fulfill those
15 functions of state government relating to the custody, study, care,
16 discipline, training, and treatment of persons in correctional and
17 detention institutions. There shall be separate divisions within the
18 department to assist in fulfilling these functions. The divisions shall
19 be the Division of Community Centered Services, the Division of
20 Administrative Services, and the Division of Adult Services. The Director
21 of Correctional Services shall appoint an assistant director as head of
22 each division and may remove or change the powers and responsibilities of
23 the assistant director of any of the divisions at his or her discretion.

24 Sec. 19. Section 83-939, Reissue Revised Statutes of Nebraska, is
25 amended to read:

26 83-939 The Division of Adult Services shall:

27 (1) Establish, administer, and supervise all correctional facilities
28 designed to house adult offenders;

29 (2) Establish and maintain the Adult Diagnostic and Evaluation
30 Services Program;

31 (3) Cooperate Develop and coordinate with the Bureau assistance of

1 ~~the Division of Community-Centered Services, in the coordination of~~
2 volunteer programs within adult correctional facilities; and
3 (4) Perform any other duties assigned by the Director of
4 Correctional Services.

5 Sec. 20. Original sections 71-907, 83-171, 83-173, 83-174.01,
6 83-180, 83-186.01, 83-188, 83-1,100, 83-1,107, 83-1,135, 83-903, 83-904,
7 83-922, 83-931, 83-932, 83-933, and 83-939, Reissue Revised Statutes of
8 Nebraska, are repealed.