

**FISCAL NOTE**

**LEGISLATIVE FISCAL ANALYST ESTIMATE**

Updated to include amendments adopted.

<b>ESTIMATE OF FISCAL IMPACT – STATE AGENCIES</b> (See narrative for political subdivision estimates)				
	<b>FY 2013-14</b>		<b>FY 2014-15</b>	
	<b>EXPENDITURES</b>	<b>REVENUE</b>	<b>EXPENDITURES</b>	<b>REVENUE</b>
GENERAL FUNDS	1,936,778		3,892,516	
CASH FUNDS	21,000			
FEDERAL FUNDS				
OTHER FUNDS				
<b>TOTAL FUNDS</b>	<b>1,957,778</b>		<b>3,892,516</b>	

**Any Fiscal Notes received from state agencies and political subdivisions are attached following the Legislative Fiscal Analyst Estimate.**

This bill, as amended, would change court jurisdiction over juveniles and indictment procedures. The bill has an operative date of January 1, 2014.

The following table summarizes the impact to the Supreme Court:

ITEMS	FY2013-14	FY2014-15	FY2013-14	FY2014-15
	Number of Positions		Expenditures	
Courtroom Clerk	1.50	3.00	38,253	78,228
Probation Officer	18.50	37.00	624,801	1,277,717
Secretary I	6.00	12.00	137,070	280,308
Probation Supervisor	2.00	4.00	67,546	138,132
Benefits			718,108	1,442,131
Operating			300,000	600,000
Travel			48,000	76,000
Capital Outlay			24,000	0
<b>TOTAL</b>	<b>28.00</b>	<b>56.00</b>	<b>1,957,778</b>	<b>3,892,516</b>

See the Supreme Court's response following for additional details. The latest response from the Supreme Court states that they used the same cost assumptions as were used in the introduced copy of the bill. To see those assumptions, see the fiscal note dated March 5, 2013.

<b>ADMINISTRATIVE SERVICES-STATE BUDGET DIVISION: REVIEW OF AGENCY &amp; POLT. SUB. RESPONSES</b>			
<b>LB: LB 464</b>	<b>AM: 615</b>	<b>AGENCY/POLT. SUB: Supreme Court (005)</b>	
REVIEWED BY: Joe Wilcox		DATE: March 21 <sup>st</sup> , 2013	PHONE: (402) 471-4178
<p>COMMENTS: AM 615 eliminates Section 9 of LB 464, which provided that juveniles committed to the Office of Juvenile Services pursuant to the Nebraska Juvenile Code or pursuant to subsection (3) of section 29-2204, shall remain committed until age 21. The current statute section has the age at 19. This amendment should reduce the potential fiscal impact from the original provisions of LB 464, since it would not expand the number of juveniles remaining committed to the Office of Juvenile Services from age 19 to age 21. The original Supreme Court estimate of fiscal impact from LB 464 included additional staffing of 2 Courtroom Clerks and additional contracted Hearing Officers, plus travel costs, in order to handle anticipated increases in court case volume in the Juvenile Courts. The revised fiscal note appears to be a revision of the fiscal note in general and does not appear to be related to the impact of AM 615. Rather, it seems to indicate the original fiscal note was simply understated and the agency will need, not 2 additional FTE, but 28 additional FTE in FY 2013-14 and 56 additional FTE in FY 2014-15. The revised fiscal note is significantly higher than the original, making it difficult to determine its reasonableness. The revised fiscal note for the Supreme Court now appears to be overstated.</p>			

ADMINISTRATIVE SERVICES-STATE BUDGET DIVISION: REVIEW OF AGENCY & POLT. SUB. RESPONSES

LB: **LB 464**      **AM: 615**      AGENCY/POLT. SUB: **Dept. of Health and Human Services (025)**

REVIEWED BY: Joe Wilcox      DATE: March 21<sup>st</sup>, 2013      PHONE: [\(402\) 471-4178](tel:(402)471-4178)

COMMENTS: AM 615 eliminates Section 9 of LB 464, which provided that juveniles committed to the Office of Juvenile Services pursuant to the Nebraska Juvenile Code or pursuant to subsection (3) of section 29-2204, shall remain committed until age 21. The current statute section has the age at 19. The Department of Health and Human Services estimate of fiscal impact from AM 615 to LB 464 is to eliminate their original estimate of increased costs, as their previous estimate was based on juveniles being in the system from age 19 to 21. The revised agency estimate from AM 615 appears reasonable.

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**2013**

**LB<sup>(1)</sup> 464,  
AM615 FISCAL NOTE**

State Agency OR Political Subdivision Name: <sup>(2)</sup> Supreme Court

Prepared by: <sup>(3)</sup> Eric Asboe Date Prepared: <sup>(4)</sup> 3/20/13 Phone: <sup>(5)</sup> 1-4138

**ESTIMATE PROVIDED BY STATE AGENCY OR POLITICAL SUBDIVISION**

	<u>FY 2013-14</u>		<u>FY 2014-15</u>	
	<u>EXPENDITURES</u>	<u>REVENUE</u>	<u>EXPENDITURES</u>	<u>REVENUE</u>
GENERAL FUNDS	<u>1,936,778</u>	<u>                    </u>	<u>3,892,516</u>	<u>                    </u>
CASH FUNDS	<u>21,000</u>	<u>                    </u>	<u>                    </u>	<u>                    </u>
FEDERAL FUNDS	<u>                    </u>	<u>                    </u>	<u>                    </u>	<u>                    </u>
OTHER FUNDS	<u>                    </u>	<u>                    </u>	<u>                    </u>	<u>                    </u>
<b>TOTAL FUNDS</b>	<u><u>1,957,778</u></u>	<u><u>                    </u></u>	<u><u>3,892,516</u></u>	<u><u>                    </u></u>

Return by date specified or 72 hours prior to public hearing, whichever is earlier.

Explanation of Estimate:

LB 464, as amended by AM615, clarifies that there will be no additional costs for services.

The same assumptions from the fiscal note for LB 464, as introduced, were used with the following changes:  
 1. The impact of LB 464 on probation caseloads. The fiscal note for LB 464, as introduced, did not include this factor and stated that the impact had not been determined at that time.

2. An increase in courtroom clerks and hearing officers from two to three with the additional positions to be in Douglas County. \$10,000 Cash Funds were also added training. The additional positions are based on further review of the potential caseload.

3. Operative date of 1/1/2014. The previous fiscal note was incorrectly based on full year funding for FY13-14.

Additional Probation staff would be needed to effectively administer the increased caseload in Douglas, Lancaster and Sarpy counties that contain a separate juvenile court. Additional staff is needed due to:

1. Supervision requirements that are different than adults. Juvenile probation officer caseloads are lower.
2. Juvenile court being more intensive than adult court.
3. Juvenile court placing greater emphasis on rehabilitation and services in the least restrictive environment than adult court.

**MAJOR OBJECTS OF EXPENDITURE**

Personal Services:

<u>POSITION TITLE</u>	<u>NUMBER OF POSITIONS</u>		<u>2013-14</u>	<u>2014-15</u>
	<u>13-14</u>	<u>14-15</u>	<u>EXPENDITURES</u>	<u>EXPENDITURES</u>
See attachment	<u>28.0</u>	<u>56.0</u>	<u>867,670</u>	<u>1,774,385</u>
Benefits.....			<u>718,108</u>	<u>1,442,131</u>
Operating.....			<u>300,000</u>	<u>600,000</u>
Travel.....			<u>48,000</u>	<u>76,000</u>
Capital outlay.....			<u>24,000</u>	<u>                    </u>
Aid.....			<u>                    </u>	<u>                    </u>
Capital improvements.....			<u>                    </u>	<u>                    </u>
<b>TOTAL.....</b>			<u><u>1,957,778</u></u>	<u><u>3,892,516</u></u>

Supreme Court Attachment  
LB 464, AM615 Fiscal Note

Major Objects of Expenditure

Personal Services	Number of Positions		Expenditures	
	FY13-14	FY14-15	FY13-14	FY14-15
Courtroom Clerk	1.5	3.0	38,253	78,228
Probation Officer	18.5	37.0	624,801	1,277,717
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Probation Supervisor	2.0	4.0	67,546	138,132
Total	28.0	56.0	867,670	1,774,385

FY14-15 salaries include a 2.25% increase.

**ESTIMATE PROVIDED BY STATE AGENCY OR POLITICAL SUBDIVISION**

State Agency or Political Subdivision Name:(2) Department of Health and Human Services

Prepared by: (3) Willard Bouwens

Date Prepared:(4) 3-21-13

Phone: (5) 471-8072

	<u>FY 2013-2014</u>		<u>FY 2014-2015</u>	
	EXPENDITURES	REVENUE	EXPENDITURES	REVENUE
<b>GENERAL FUNDS</b>				
<b>CASH FUNDS</b>				
<b>FEDERAL FUNDS</b>				
<b>OTHER FUNDS</b>				
<b>TOTAL FUNDS</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

Return by date specified or 72 hours prior to public hearing, whichever is earlier.

Explanation of Estimate:

Explanation of Estimate:

LB464 AM615 strikes Sec. 9 from LB464 and eliminates the provision that juveniles would remain committed to the Office of Juvenile Services until the juvenile had attained the age of twenty-one years of age.

As a result of this amendment there would be no fiscal impact to the Department of Health and Human Services.

**MAJOR OBJECTS OF EXPENDITURE**

PERSONAL SERVICES:	POSITION TITLE	NUMBER OF POSITIONS		2013-2014	2014-2015
		13-14	14-15	EXPENDITURES	EXPENDITURES
Benefits.....					
Operating.....					
Travel.....					
Capital Outlay.....					
Aid.....					
Capital Improvements.....					
<b>TOTAL.....</b>				<b>\$0</b>	<b>\$0</b>