

**FISCAL NOTE**

**LEGISLATIVE FISCAL ANALYST ESTIMATE**

Updated for amendments adopted through March 18, 2014.

<b>ESTIMATE OF FISCAL IMPACT – STATE AGENCIES</b> (See narrative for political subdivision estimates)				
	<b>FY 2014-15</b>		<b>FY 2015-16</b>	
	EXPENDITURES	REVENUE	EXPENDITURES	REVENUE
GENERAL FUNDS	See Below			
CASH FUNDS				
FEDERAL FUNDS				
OTHER FUNDS				
TOTAL FUNDS				

**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, 2015.

The following table summarizes the impact to the Crime Commission:

ITEMS	Crime Commission			
	FY2014-15	FY2015-16	FY2014-15	FY2015-16
	Number of Positions		Expenditures	
Federal Aid Compliance Specialist	1.00	1.00	50,732	52,254
Benefits			24,498	25,233
Operating			7,000	7,500
Travel			12,500	13,000
Capital Outlay			5,000	-
Aid			5,000,000	5,000,000
<b>TOTAL</b>	<b>1.00</b>	<b>1.00</b>	<b>5,099,730</b>	<b>5,097,987</b>

The University of Nebraska states that its role is not clear under the amended bill and therefore, the fiscal impact is undeterminable.

The Department of Education estimates costs of \$6,216 in FY15 and \$6,402 in FY16. These costs relate to meetings of the council created under the amended bill.

The Legislative Fiscal Office (LFO) has not received official responses from the Supreme Court or the Department of Health and Human Services. LFO understands that the fiscal impact to the Supreme Court - Probation Administration could be as follows: \$5.2 million in FY15, \$8.1 million in FY16, and \$13.4 million in FY17. For HHS, LFO understands the impact could be \$1.3 million in FY15 and \$1.6 million in FY16. These are unofficial estimates at this time and are provided for informational purposes.

Douglas County estimates a cost of \$234,551 in FY15 and \$379,501 in FY16. This is for additional attorney and support staff expenses, court filing fees for additional cases, costs for appointed attorney fees, additional Juvenile Assessment Center staff costs for increased cases, and unreimbursed lease costs for carrying out expanded probation duties from LB561, 2013.

The City of Omaha estimates no impact from the amended bill.

Please complete ALL (5) blanks in the first three lines.

**2014**

**LB<sup>(1)</sup> 464, as amended by AM 2163.**

**FISCAL NOTE**

State Agency OR Political Subdivision Name: <sup>(2)</sup> Crime Commission

Prepared by: <sup>(3)</sup> Bruce Ayers

Date Prepared: <sup>(4)</sup> 3-12-2014

Phone: <sup>(5)</sup> 471-0359

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

	<u>FY 2014-15</u>		<u>FY 2015-16</u>	
	<u>EXPENDITURES</u>	<u>REVENUE</u>	<u>EXPENDITURES</u>	<u>REVENUE</u>
GENERAL FUNDS	_____	_____	_____	_____
CASH FUNDS	_____	_____	_____	_____
FEDERAL FUNDS	_____	_____	_____	_____
OTHER FUNDS	_____	_____	_____	_____
<b>TOTAL FUNDS</b>	=====	=====	=====	=====

Explanation of Estimate: We submitted a fiscal note on 2-18-2014 for AM 1674 to LB 464. AM 2163 to LB 464 does not change the language in AM 1674 that pertains to our agency so our previous fiscal note is still relevant.

Clarification: Section 25 of AM 1674 and Section 31 of AM 2163 both contain new language which says "It is the intent of the Legislature to appropriate five million dollars to the Community-Based Juvenile Services Aid Program." When we wrote the fiscal note for AM 1674 we interpreted that language to mean an additional five million dollar general fund appropriation for Community-Based Juvenile Services Aid beginning in FY 14-15.

**BREAKDOWN BY MAJOR OBJECTS OF EXPENDITURE**

**Personal Services:**

<u>POSITION TITLE</u>	<u>NUMBER OF POSITIONS</u>		<u>2014-15</u>	<u>2015-16</u>
	<u>14-15</u>	<u>15-16</u>	<u>EXPENDITURES</u>	<u>EXPENDITURES</u>
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
Benefits.....	_____	_____	_____	_____
Operating.....	_____	_____	_____	_____
Travel.....	_____	_____	_____	_____
Capital outlay.....	_____	_____	_____	_____
Aid.....	_____	_____	_____	_____
Capital improvements.....	_____	_____	_____	_____
<b>TOTAL.....</b>	_____	_____	_____	_____

Please complete ALL (5) blanks in the first three lines.

**2014**

**LB<sup>(1)</sup> 464 AM 2163**

**FISCAL  
NOTE**

State Agency OR Political Subdivision Name: <sup>(2)</sup> University of Nebraska

Prepared by: <sup>(3)</sup> Michael Justus Date Prepared: <sup>(4)</sup> March 11, 2014 Phone: <sup>(5)</sup> 402-472-7109

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

	<u>FY 2014-15</u>		<u>FY 2015-16</u>	
	<u>EXPENDITURES</u>	<u>REVENUE</u>	<u>EXPENDITURES</u>	<u>REVENUE</u>
GENERAL FUNDS	_____	_____	_____	_____
CASH FUNDS	_____	_____	_____	_____
FEDERAL FUNDS	_____	_____	_____	_____
OTHER FUNDS	_____	_____	_____	_____
<b>TOTAL FUNDS</b>	<b>=====</b>	<b>=====</b>	<b>=====</b>	<b>=====</b>

**Explanation of Estimate:**

Based upon the current language, the Consortium for Crime and Justice Research and Juvenile Justice Institute's roles are not clear and therefore, the fiscal impact is undeterminable.

The University assumes that funding to cover "review, study, and make policy recommendations" will be made through contractual arrangements based on individual requests. The funding would be a net zero in the cash funds (although we cannot estimate the volume of activity without more information.)

If these are NOT designed to be contractual arrangements, conducting a study and providing policy recommendations would require additional staffing and general fund support which has not been identified and is again not estimable with the information available.

**BREAKDOWN BY MAJOR OBJECTS OF EXPENDITURE**

**Personal Services:**

<u>POSITION TITLE</u>	<u>NUMBER OF POSITIONS</u>		<u>2014-15</u>	<u>2015-16</u>
	<u>14-15</u>	<u>15-16</u>	<u>EXPENDITURES</u>	<u>EXPENDITURES</u>
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
Benefits.....	_____	_____	_____	_____
Operating.....	_____	_____	_____	_____
Travel.....	_____	_____	_____	_____
Capital outlay.....	_____	_____	_____	_____
Aid.....	_____	_____	_____	_____
Capital improvements.....	_____	_____	_____	_____
<b>TOTAL.....</b>	<b>_____</b>	<b>_____</b>	<b>_____</b>	<b>_____</b>

Please complete ALL (5) blanks in the first three lines.

**2014**

**LB<sup>(1)</sup> 464, AM2164**

**FISCAL NOTE**

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

Nebraska Department of Education

Prepared by: <sup>(3)</sup> Halstead

Date Prepared: <sup>(4)</sup> 3/7/14

Phone: <sup>(5)</sup> 471-0732

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

	<u>FY 2014-15</u>		<u>FY 2015-16</u>	
	<u>EXPENDITURES</u>	<u>REVENUE</u>	<u>EXPENDITURES</u>	<u>REVENUE</u>
GENERAL FUNDS	\$6,216		\$6,402	
CASH FUNDS				
FEDERAL FUNDS				
OTHER FUNDS				
<b>TOTAL FUNDS</b>	<b>\$6,216</b>		<b>\$6,402</b>	

Explanation of Estimate: AM2164 amends Section 79-527.01 to create the Council of Student Attendance whose members are appointed by the State Board of Education and include one (1) school board member, two (2) parents of children attending school in Nebraska, one (1) superintendent of a school district, one (1) student attending school in Nebraska, one (1) representative of a community or advocacy organization, and one (1) county attorney. These seven (7) members are entitled to receive reimbursement for actual and necessary expenses incurred as necessary incident as provided in sections 81-1174 to 81-1177. The council has several duties listed in the amendment and one such duty is to study and evaluate data contained in the reports required by 79-527(2) which is student attendance reported on a quarterly basis each school year.

It would appear reasonable to estimate that the council may meet up to four (4) times annually in Lincoln and NDE guidelines for average costs per person for one day meetings is \$222. Therefore, seven (7) members meeting one day would result in a fiscal impact of \$1,554 for each meeting or \$6,216 in fiscal year 2014-15 for four (4) meetings to reimburse members for their necessary expenses for serving on the council. NDE guidelines state that costs for fiscal year 2015-16 are to be increased by three percent (3%), which would result in a fiscal impact in 2015-16 of \$6,402.

Current staff of NDE can carry out the provisions in AM 2164 to LB 464.

**BREAKDOWN BY MAJOR OBJECTS OF EXPENDITURE**

Personal Services:

<u>POSITION TITLE</u>	<u>NUMBER OF POSITIONS</u>		<u>2014-15</u>	<u>2015-16</u>
	<u>14-15</u>	<u>15-16</u>	<u>EXPENDITURES</u>	<u>EXPENDITURES</u>
Benefits.....				
Operating.....				
Travel.....			\$6,216	\$6,216
Capital outlay.....				
Aid.....				
Capital improvements.....				
<b>TOTAL.....</b>			<b>\$6,216</b>	<b>\$6,216</b>

Please complete ALL (5) blanks in the first three lines.

**2014**

**LB<sup>(1)</sup> 464 AM 2163**

**FISCAL NOTE**

State Agency OR Political Subdivision Name: <sup>(2)</sup> City of Omaha

Prepared by: <sup>(3)</sup> Sheri Larsen Date Prepared: <sup>(4)</sup> 03/11/2014 Phone: <sup>(5)</sup> 402-444-5477

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

	<u>FY 2014-15</u>		<u>FY 2015-16</u>	
	<u>EXPENDITURES</u>	<u>REVENUE</u>	<u>EXPENDITURES</u>	<u>REVENUE</u>
GENERAL FUNDS	_____	_____	_____	_____
CASH FUNDS	_____	_____	_____	_____
FEDERAL FUNDS	_____	_____	_____	_____
OTHER FUNDS	_____	_____	_____	_____
TOTAL FUNDS	=====	===== /	=====	=====

Explanation of Estimate:

LB 464 AM 2163 does not have a measurable fiscal impact on the City of Omaha.

**BREAKDOWN BY MAJOR OBJECTS OF EXPENDITURE**

Personal Services:

<u>POSITION TITLE</u>	<u>NUMBER OF POSITIONS</u>		<u>2014-15 EXPENDITURES</u>	<u>2015-16 EXPENDITURES</u>
	<u>14-15</u>	<u>15-16</u>		
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
Benefits.....	_____	_____	_____	_____
Operating.....	_____	_____	_____	_____
Travel.....	_____	_____	_____	_____
Capital outlay.....	_____	_____	_____	_____
Aid.....	_____	_____	_____	_____
Capital improvements.....	_____	_____	_____	_____
TOTAL.....	_____	_____	_____	_____

Please complete ALL (5) blanks in the first three lines.

2014

**LB<sup>(1)</sup> 464 / AM 2163** Change court jurisdiction over juveniles and indictment procedures

**FISCAL NOTE**

State Agency OR Political Subdivision Name: <sup>(2)</sup> Douglas County

Prepared by: <sup>(3)</sup> Marcos San Martin, Douglas County Administration

Date Prepared: <sup>(4)</sup> 3/12/2014

Phone: <sup>(5)</sup> 402.444.5116

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

	<u>FY 2014-15</u>		<u>FY 2015-16</u>	
	<u>EXPENDITURES</u>	<u>REVENUE</u>	<u>EXPENDITURES</u>	<u>REVENUE</u>
GENERAL FUNDS	_____	_____	_____	_____
CASH FUNDS	_____	_____	_____	_____
FEDERAL FUNDS	_____	_____	_____	_____
OTHER FUNDS	_____	_____	_____	_____
<b>TOTAL FUNDS</b>	<b><u>\$234,551</u></b>	<b><u>N/A</u></b>	<b><u>\$379,501</u></b>	<b><u>N/A</u></b>

**Explanation of Estimate:**

The following represent the ESTIMATED costs/expenses to Douglas County if **LB464/AM2163** is implemented as written:

	<u>FY2014-15</u>	<u>FY2015-16</u>	
<u>DC Attorney's Office</u>	\$6,624.78 \$1,334.75 \$4,192.00	\$13,580.81 \$2,736.22 \$8,384.00	(additional Attorney expenses*) (additional Support Staff expenses*) (court filing fees for additional cases*)
<u>DC Juvenile Court:</u>	\$125,760	\$251,520	(additional costs for appointed attorney fees*)
<u>DC Juvenile Assessment Center:</u>	\$6,640	\$13,280	(additional JAC staff for increased cases*)
<u>Unreimbursed Lease Costs:</u>	\$90,000	\$90,000	(unreimbursed probation office lease payments/rents associated carrying out the expanded probation duties in <i>Laws 2013, LB561</i> )
<b>TOTAL ESTIMATED COSTS:</b>	<b>\$234,551</b>	<b>\$379,501</b>	

\*see attachment with additional fiscal explanations

**BREAKDOWN BY MAJOR OBJECTS OF EXPENDITURE**

**Personal Services:**

<u>POSITION TITLE</u>	<u>NUMBER OF POSITIONS</u>		<u>2014-15 EXPENDITURES</u>	<u>2015-16 EXPENDITURES</u>
	<u>14-15</u>	<u>15-16</u>		
Benefits.....	_____	_____	_____	_____
Operating.....	_____	_____	_____	_____
Travel.....	_____	_____	_____	_____
Capital outlay.....	_____	_____	_____	_____
Aid.....	_____	_____	_____	_____
Capital improvements.....	_____	_____	_____	_____
<b>TOTAL.....</b>			<b><u>\$234,551</u></b>	<b><u>\$379,501</u></b>

## \*ADDITIONAL FISCAL EXPLANATIONS

### DOUGLAS COUNTY ATTORNEY'S OFFICE

#### ATTORNEYS

- Misdemeanor Detention Hearings: Estimated 93 annual hearings, 15 minutes per hearing
- YRTC Commitment Hearings: Estimated 69 annual hearings, 30 minutes per hearing
- Review of additional police referrals: Estimated 330 additional referrals, 3 minutes per case
- Juvenile to Adult Transfer Hearings: Estimated 112 hearings, 30 minutes per hearing
- Court and Prep time for new filings: Estimated 150 new filings, 75 minutes per case
- Additional hearings due to Extended Juvenile Jurisdiction: Estimated 100 additional hearings, 15 minutes per hearing
  
- Total additional attorney time: 358.25 hours
  
- Salary expense: \$5,124.77 for FY 14-15 (law in effect for half of the FY); \$10,505.77 for FY 15-16; Benefits/expenses: \$1,500.01 for FY 14-15 (law in effect for half of the FY); \$3,075.04 for FY 15-16

**Total Attorney expenses for: FY 14-15: \$6,624.78 / FY 15-16: \$13,580.81**

#### SUPPORT STAFF

- Additional Support staff time: 119.5 hours (approximately 1 support hour for every 3 attorney hours)
- Salary expense: \$958.32 for FY 14-15 (law in effect for half of the FY); \$1,964.55 for FY 15-16; Benefits/expenses expense: \$376.43 for FY 14-15 (law in effect for half of the FY); \$771.67 for FY 15-16

**Total support staff expenses for: FY 14-15: \$1,334.75 / FY 15-16: \$2,736.22**

#### FILING FEE COSTS FOR ADDITIONAL CASES

**Court filing fees for additional cases for: FY 14-15: \$4,192.00 FY 15-16: \$8,384.00**

### DOUGLAS COUNTY JUVENILE COURT

- Additional court appointed attorney costs:

**FY14-15 *estimated* 131 additional cases @ \$960 (average) court appointed attorney cost per case = \$125,760 / year**

**FY15-16 *estimated* 262 additional cases @ \$960 (average) court appointed attorney cost per case = \$251,520 / year**

### DOUGLAS COUNTY JUVENILE ASSESSMENT CENTER (JAC)

- THE JAC estimates that the changes in jurisdiction of juveniles may result in additional cases referred to the JAC. This increase in caseload is estimated to result in requiring a half-time position most likely. (12.77 X 1040 hrs.) = \$13,280 / annual.

**Staff: FY 14-15: \$6,640 / FY 15-16: \$13,280**

Please complete ALL (5) blanks in the first three lines.

**2014**

**LB<sup>(1)</sup> 464 / AM 2164** Change court jurisdiction over juveniles and indictment procedures

**FISCAL NOTE**

State Agency OR Political Subdivision Name: <sup>(2)</sup> Douglas County

Prepared by: <sup>(3)</sup> Marcos San Martin, Douglas County Administration Date Prepared: <sup>(4)</sup> 3/13/2014 Phone: <sup>(5)</sup> 402.444.5116

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

	<u>FY 2014-15</u>		<u>FY 2015-16</u>	
	<u>EXPENDITURES</u>	<u>REVENUE</u>	<u>EXPENDITURES</u>	<u>REVENUE</u>
GENERAL FUNDS	_____	_____	_____	_____
CASH FUNDS	_____	_____	_____	_____
FEDERAL FUNDS	_____	_____	_____	_____
OTHER FUNDS	_____	_____	_____	_____
TOTAL FUNDS	<u>N/A</u>	<u>N/A</u>	<u>N/A</u>	<u>N/A</u>

Explanation of Estimate:

UNKNOWN FISCAL IMPACT TO COUNTY

**BREAKDOWN BY MAJOR OBJECTS OF EXPENDITURE**

Personal Services:

<u>POSITION TITLE</u>	<u>NUMBER OF POSITIONS</u>		<u>2014-15</u>	<u>2015-16</u>
	<u>14-15</u>	<u>15-16</u>	<u>EXPENDITURES</u>	<u>EXPENDITURES</u>
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
Benefits.....	_____	_____	_____	_____
Operating.....	_____	_____	_____	_____
Travel.....	_____	_____	_____	_____
Capital outlay.....	_____	_____	_____	_____
Aid.....	_____	_____	_____	_____
Capital improvements.....	_____	_____	_____	_____
TOTAL.....	_____	_____	<u>N/A</u>	<u>N/A</u>