

Updated to reflect additional information.

FISCAL NOTE
LEGISLATIVE FISCAL ANALYST ESTIMATE

ESTIMATE OF FISCAL IMPACT – STATE AGENCIES (See narrative for political subdivision estimates)				
	FY 2017-18		FY 2018-19	
	EXPENDITURES	REVENUE	EXPENDITURES	REVENUE
GENERAL FUNDS				
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.

LB 464 expands the time and deadline requirements for public hearings, promulgation and reporting requirements of sections 84-901.01 and 84-907.

The Department of Revenue (Revenue) submitted a letter estimating a fiscal impact based on the bill's provisions.

Revenue states that it "has over 2,000 pages of regulations spread over two Titles and 49 Chapters. Dozens of individual sections change every year due to legislation alone. We do try to keep current, but we also prioritize our efforts and focus on the most popular programs...However, we do not always make necessary changes within three years."

Section 84-901.01 is amended in LB 464 in the following manner:

(2) If such agency has not adopted and promulgated such rules and regulations within three years after the operative or effective date of such enacting legislation or within three years after the time it could be determined that an agency should have or was required to make changes to existing rules and regulations and such changes include, but are not limited to, the amendment or repeal of a rule or regulation, the standing committee of the Legislature which has subject matter jurisdiction over the matters included in the legislation or the issue included in the agency's proposed or required changes to existing rules and regulations shall hold a public hearing to determine the reason that such rules and regulations have not been enacted.

The effect of this change is that the three year timeframe to promulgate and adopt rules and regulations is no longer based on date of enactment. Under the bill's provisions, the three year timeframe begins after the time it could have been determined that a rule and regulation change was required. If that timeframe is not met, the standing committee of the Legislature which has subject matter jurisdiction over the matters included in the legislation or the issue included in the agency's proposed or required changes to rules and regulations shall hold a public hearing to determine why the changes have not been enacted.

Revenue's letter states that they do not always make the necessary changes within three years and in order to meet this new requirement the Department would have to more than double its effort and pace of regulation adoption. They estimate needing two new attorneys and publication costs at an approximate cost of \$192,400 each year.

Based on the above quoted section of LB 464, this is not a new requirement for agencies. The three year timeframe is in current statute. The changes made to section 84-901.01(2) simply expand the issues that may require public hearings by Legislative Committees.

There should be no additional burden to agencies, since the 3 year timeframe that is currently in statute is not being altered. If the three year timeframe is not met, as Revenue states is sometimes the case, the action taken is Legislative Committee hearings.

No fiscal impact.

ADMINSTRATAIVE SERVICE STATE BUDGET DIVISION: REVIEW OF AGENCY & POLT. SUB. RESPONSE		
LB: 464	AM:	AGENCY/POLT. SUB: Secretary of State
REVIEWED BY: Gary Bush	DATE: 1/24/17	PHONE: (402) 471-4161
COMMENTS: Concur.		

ADMINSTRATAIVE SERVICE STATE BUDGET DIVISION: REVIEW OF AGENCY & POLT. SUB. RESPONSE		
LB: 464	AM:	AGENCY/POLT. SUB: Dept of Administrative Services
REVIEWED BY: Gary Bush	DATE: 1/24/17	PHONE: (402) 471-4161
COMMENTS: Concur.		

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

2017

LB⁽¹⁾ 464

FISCAL NOTE

State Agency OR Political Subdivision Name: ⁽²⁾

Department of Administrative Services (DAS)

Prepared by: ⁽³⁾ Bo Botelho

Date Prepared: ⁽⁴⁾ January 19, 2017

Phone: ⁽⁵⁾ 402-471-0972

ESTIMATE PROVIDED BY STATE AGENCY OR POLITICAL SUBDIVISION

	<u>FY 2017-18</u>		<u>FY 2018-19</u>	
	<u>EXPENDITURES</u>	<u>REVENUE</u>	<u>EXPENDITURES</u>	<u>REVENUE</u>
GENERAL FUNDS	_____	_____	_____	_____
CASH FUNDS	_____	_____	_____	_____
FEDERAL FUNDS	_____	_____	_____	_____
REVOLVING FUNDS	_____	_____	_____	_____
TOTAL FUNDS	=====	=====	=====	=====

Explanation of Estimate:

LB464 is a bill that expands the time/deadline requirements of public hearings, promulgation and reporting requirements of 84-901.01 and 84-907 to also include any agency proposed changes to existing rules and regulations or the repeal of a rule or regulation.

There is no fiscal impact to DAS.

BREAKDOWN BY MAJOR OBJECTS OF EXPENDITURE

Personal Services:

<u>POSITION TITLE</u>	<u>NUMBER OF POSITIONS</u>		<u>2017-18</u>	<u>2018-19</u>
	<u>17-18</u>	<u>18-19</u>	<u>EXPENDITURES</u>	<u>EXPENDITURES</u>
Benefits.....	_____	_____	_____	_____
Operating.....	_____	_____	_____	_____
Travel.....	_____	_____	_____	_____
Capital outlay.....	_____	_____	_____	_____
Aid.....	_____	_____	_____	_____
Capital improvements.....	_____	_____	_____	_____
TOTAL.....	_____	_____	_____	_____

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

2017

LB⁽¹⁾ 464

FISCAL NOTE

State Agency OR Political Subdivision Name: ⁽²⁾ Nebraska Secretary of State's Office

Prepared by: ⁽³⁾ Joyce Woofter Date Prepared: ⁽⁴⁾ 1/23/17 Phone: ⁽⁵⁾ 402-471-2384

ESTIMATE PROVIDED BY STATE AGENCY OR POLITICAL SUBDIVISION

	<u>FY 2017-18</u>		<u>FY 2018-19</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:
No fiscal impact.

BREAKDOWN BY MAJOR OBJECTS OF EXPENDITURE

Personal Services:

<u>POSITION TITLE</u>	<u>NUMBER OF POSITIONS</u>		<u>2017-18</u>	<u>2018-19</u>
	<u>17-18</u>	<u>18-19</u>	<u>EXPENDITURES</u>	<u>EXPENDITURES</u>
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
Benefits.....	_____	_____	_____	_____
Operating.....	_____	_____	_____	_____
Travel.....	_____	_____	_____	_____
Capital outlay.....	_____	_____	_____	_____
Aid.....	_____	_____	_____	_____
Capital improvements.....	_____	_____	_____	_____
TOTAL.....	_____	_____	_____	_____