

FISCAL NOTE

LEGISLATIVE FISCAL ANALYST ESTIMATE

Updated for an agency response received on April 12, 2018.

ESTIMATE OF FISCAL IMPACT – STATE AGENCIES (See narrative for political subdivision estimates)				
	FY 2018-19		FY 2019-20	
	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.

LB791, as amended by AM2708 and AM2880, states that the chief of police, sheriff, the Nebraska State Patrol, or other agency employing a law enforcement officer shall submit a personnel change in status form to the director of the Nebraska Law Enforcement Training Center within seven calendar days after the date a law enforcement officer is hired or leaves employment.

Each law enforcement agency shall maintain a record regarding the reason for a separation of service for each law enforcement officer, and such record shall be retained for five years. The bill requires law enforcement agencies to submit a report to the Crime Commission of any officer who is terminated or allowed to resign in lieu of termination for conduct that could constitute (a) incompetence, (b) neglect of duty, (c) incapacity, (d) final conviction or pleading guilty to a felony, or (e) dishonesty or other violations of the officer's code of ethics or statutory duties.

The bill makes certain changes to the collective bargaining agreement of the Nebraska State Patrol (NSP). The bill allows the Crime Commission to subpoena witnesses, documents, or other relevant materials relating to officer certification revocation from NSP.

The bill provides that a state employee may make a report of sexual harassment to the Department of Administrative Services (DAS). DAS shall investigate the report or ensure that an investigation is conducted by the agency which employs the reporting employee. DAS and the agency which employs the reporting employee shall maintain the confidentiality of the report. The agency employing the reporting employee shall not retaliate or discriminate against the reporting employee.

The changes made by this bill shall not abrogate any labor contracts that are in effect through June 30, 2019. The bill, as amended, has the emergency clause.

The Crime Commission states that the bill, as amended by AM2708 included some of the provisions of LB792, which did have a fiscal impact on the Crime Commission. However, AM2880 eliminates the fiscal impact to the Crime Commission. Therefore, there will be no fiscal impact to the Crime Commission from this bill, as amended.

The Department of Administrative Services – Employee Relations Division states that AM2708 would require a change in Employee Relations functions and workload. The agency would absorb such functions within their current operations so there would be no fiscal impact from this bill, as amended.

ADMINISTRATIVE SERVICES STATE BUDGET DIVISION: REVIEW OF AGENCY & POLT. SUB. RESPONSE		
LB: 791	AM: 2880	AGENCY/POLT. SUB: Nebraska Commission on Law Enforcement and Criminal Justice (078)
REVIEWED BY: Joe Wilcox	DATE: 04/09/2018	PHONE: (402) 471-4178
COMMENTS: Concur with the Nebraska Commission on Law Enforcement and Criminal Justice (Crime Commission) estimate that the fiscal impact to the Agency created by AM 2708 to LB 791, is eliminated by AM 2880 to LB 791.		

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

2018

LB⁽¹⁾ 791, AM2880 Revised .

FISCAL NOTE

State Agency OR Political Subdivision Name: ⁽²⁾ NE Comm On Law Enforcement (Crime Commission)

Prepared by: ⁽³⁾ Bruce Ayers Date Prepared: ⁽⁴⁾ 4-9-2018 Phone: ⁽⁵⁾ 471-0359

ESTIMATE PROVIDED BY STATE AGENCY OR POLITICAL SUBDIVISION

	<u>FY 2018-19</u>		<u>FY 2019-20</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 791, as amended by AM2708 included some of the provisions of LB 792. AM2708 did have a fiscal impact on the Crime Commission. However, AM 2880 eliminates the fiscal impact that was in AM 2708. If AM 2880 is adopted, the fiscal impact of LB 791 on the Crime Commission will be \$0.

BREAKDOWN BY MAJOR OBJECTS OF EXPENDITURE

Personal Services:

<u>POSITION TITLE</u>	<u>NUMBER OF POSITIONS</u>		<u>2018-19</u>	<u>2019-20</u>
	<u>18-19</u>	<u>19-20</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.

2018

LB⁽¹⁾ 791 AM 2880

FISCAL NOTE

State Agency OR Political Subdivision Name: ⁽²⁾ Department of Administrative Services (DAS) – Employee Relations

Prepared by: ⁽³⁾ William Wood Date Prepared: ⁽⁴⁾ 4-10-2018 Phone: ⁽⁵⁾ 402-471-1406

ESTIMATE PROVIDED BY STATE AGENCY OR POLITICAL SUBDIVISION

	<u>FY 2018-19</u>		<u>FY 2019-20</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 791 seeks to make changes to the the State Employees Collective Bargaining Act. AM 2708 in part, proposes that, “A state employee may make a report of sexual harassment to the Department of Administrative Services. The department shall investigate the report or ensure that an investigation is conducted by the agency which employs the reporting employee.” It is assumed that when a state employee would report sexual harassment to the Department of Administrative Services, the report would be given to the Employee Relations Division.

If LB 791 would pass with AM 2708, there would be a change in the DAS-Employee Relations functions and workload. Employee Relations would absorb such functions and workload within its current operations.

There is no fiscal impact to the Department of Administrative Services – Employee Relations.

BREAKDOWN BY MAJOR OBJECTS OF EXPENDITURE

Personal Services:

<u>POSITION TITLE</u>	<u>NUMBER OF POSITIONS</u>		<u>2018-19</u>	<u>2019-20</u>
	<u>18-19</u>	<u>19-20</u>	<u>EXPENDITURES</u>	<u>EXPENDITURES</u>
Benefits.....	_____	_____	_____	_____
Operating.....	_____	_____	_____	_____
Travel.....	_____	_____	_____	_____
Capital outlay.....	_____	_____	_____	_____
Aid.....	_____	_____	_____	_____
Capital improvements.....	_____	_____	_____	_____
TOTAL.....	=====	=====	=====	=====