

FISCAL NOTE
LEGISLATIVE FISCAL ANALYST ESTIMATE

ESTIMATE OF FISCAL IMPACT – STATE AGENCIES (See narrative for political subdivision estimates)				
	FY 2019-20		FY 2020-21	
	EXPENDITURES	REVENUE	EXPENDITURES	REVENUE
GENERAL FUNDS	1,658,944		1,991,237	
CASH FUNDS				
FEDERAL FUNDS				
OTHER FUNDS				
TOTAL FUNDS	1,658,944		1,991,237	

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

This bill places restrictions on room confinements for juveniles in juvenile facility. Notice would also need to be given to the juvenile's parents or guardian and the juvenile's attorney.

The bill requires staff to continuously monitor a juvenile in room confinement. Clarification is needed for what is meant by "continuous monitoring." Based on their interpretation, both the Department of Corrections and the Department of Health and Human Services indicate that additional staff will be needed for this provision. The Department of Corrections indicates 12 corporals would be required at a cost of \$528,108 in FY 20 and \$613,465 in FY 21. The Department of Health and Human Services indicates a need for 30 security specialists.. The FY 20 costs would be \$1,130,836 and \$1,377,781 in FY 21. FY 20 costs are for a partial fiscal year.

Similarly counties with detention centers would also require additional staff. The costs would vary from county to county for those with facilities. Other counties which contract for juvenile detention services would have an increase in their contract rates.

ADMINISTRATIVE SERVICES STATE BUDGET DIVISION: REVIEW OF AGENCY & POLT. SUB. RESPONSE			
LB: 230 (025)	AM:	AGENCY/POLT. SUB: Nebraska Department of Health and Human Services	
REVIEWED BY: Joe Wilcox	DATE: 02/11/2019	PHONE: (402) 471-4178	
COMMENTS: No basis to dispute the Nebraska Department of Health and Human Services estimate of potential Fiscal Impact to the Agency from LB 230.			

ADMINISTRATIVE SERVICES STATE BUDGET DIVISION: REVIEW OF AGENCY & POLT. SUB. RESPONSE			
LB: 230	AM:	AGENCY/POLT. SUB: Nebraska Department of Correctional Services (046)	
REVIEWED BY: Joe Wilcox	DATE: 01/25/2019	PHONE: (402) 471-4178	
COMMENTS: No basis to dispute the Nebraska Department of Correctional Services (NDCS) estimate of potential Fiscal Impact to the Agency from LB 230.			

ADMINISTRATIVE SERVICES STATE BUDGET DIVISION: REVIEW OF AGENCY & POLT. SUB. RESPONSE			
LB: 230	AM:	AGENCY/POLT. SUB: Nebraska Association of County Officials	
REVIEWED BY: Joe Wilcox	DATE: 01/22/2019	PHONE: (402) 471-4178	
COMMENTS: No basis to dispute the Nebraska Association of County Officials (NACO) estimate of potential but Indeterminate Fiscal Impact to Counties from LB 230.			

ADMINISTRATIVE SERVICES STATE BUDGET DIVISION: REVIEW OF AGENCY & POLT. SUB. RESPONSE		
LB: 230	AM:	AGENCY/POLT. SUB: Lancaster County Youth Services Center
REVIEWED BY: Joe Wilcox	DATE: 01/16/2019	PHONE: (402) 471-4178
COMMENTS: No basis to dispute the Lancaster County Youth Services Center estimate of potential Fiscal Impact to the Center from LB 230.		

ESTIMATE PROVIDED BY STATE AGENCY OR POLITICAL SUBDIVISION

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

Prepared by: (3) Mike Michalski

Date Prepared 1-24-19

Phone: (5) 471-6719

	<u>FY 2019-2020</u>		<u>FY 2020-2021</u>	
	EXPENDITURES	REVENUE	EXPENDITURES	REVENUE
GENERAL FUNDS	\$1,221,029		\$1,628,038	
CASH FUNDS				
FEDERAL FUNDS				
OTHER FUNDS				
TOTAL FUNDS	\$1,221,029		\$1,628,038	

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

Explanation of Estimate:

LB 230 reduces room confinement provisions that are currently in place at the Youth Rehabilitation Treatment Center (YRTC) facilities in Kearney and Geneva. The requirements would change standards to be similar or more restrictive than the American Correctional Association and performance-based standards which are currently complied with at YRTC for accreditation. Under the proposed legislation, continuous monitoring would be required and YRTC would need an additional 5 staff for three shifts at both facilities. Daytime shifts would require a level 2 specialist while overnight shifts would require a level 1 specialist. It is assumed that the additional staff would be hired October 1, 2019.

The Department of Health and Human Services (DHHS) will be required to complete a major rule and regulation change as a result of LB 230. DHHS will absorb the estimated costs listed below to complete this regulation change.

Title	Hours	Hourly Cost	Absorbed Cost
Director	4	72.115	\$ 288
Deputy Director	4	51.923	\$ 208
Administrator I	4	29.354	\$ 117
Program Specialist	8	21.466	\$ 172
Program Analyst	16	20.869	\$ 334
Attorney 3	30	32.213	\$ 966
Total Costs	66		\$ 2,086

MAJOR OBJECTS OF EXPENDITURE

PERSONAL SERVICES:	POSITION TITLE	NUMBER OF POSITIONS		2019-2020	2020-2021
		19-20	20-21	EXPENDITURES	EXPENDITURES
	Youth Security Specialist 1	7.25	10	\$201,209	\$268,278
	Youth Security Specialist 2	15	20	\$465,098	\$620,131
Benefits.....				\$254,529	\$339,372
Operating.....				\$300,193	\$400,257
Travel.....					
Capital Outlay.....					
Aid.....					
Capital Improvements.....					
TOTAL.....				\$1,221,029	\$1,628,038

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

2019

LB⁽¹⁾ 230

FISCAL NOTE

State Agency OR Political Subdivision Name: ⁽²⁾ Nebraska Department of Correctional Services

Prepared by: ⁽³⁾ Sara Sump Date Prepared: ⁽⁴⁾ 1/22/19 Phone: ⁽⁵⁾ 402.479.5702

ESTIMATE PROVIDED BY STATE AGENCY OR POLITICAL SUBDIVISION

	<u>FY 2019-20</u>		<u>FY 2020-21</u>	
	<u>EXPENDITURES</u>	<u>REVENUE</u>	<u>EXPENDITURES</u>	<u>REVENUE</u>
GENERAL FUNDS	\$632,169		\$613,465	
CASH FUNDS				
FEDERAL FUNDS				
OTHER FUNDS				
TOTAL FUNDS	<u>\$632,169</u>	<u>0</u>	<u>\$613,465</u>	<u>0</u>

Explanation of Estimate:

The estimated fiscal impact of LB 230 is that additional staff positions or overtime will be required to continuously monitor individuals under 19 who are placed in room confinement and to make the notices required by the act. To provide continuous monitoring of individuals under 19 in restrictive housing and comply with the notice and reporting requirements of the bill will require one additional post for all three shifts at the Nebraska Correctional Youth Facility and one additional post for all three shifts at the Nebraska Correctional Center for Women. With the relief factor, this equates to 12 full time employees.

Operations expenses include: uniforms, radios and fees.

BREAKDOWN BY MAJOR OBJECTS OF EXPENDITURE

Personal Services:

<u>POSITION TITLE</u>	<u>NUMBER OF POSITIONS</u>		<u>2019-20</u>	<u>2020-21</u>
	<u>19-20</u>	<u>20-21</u>	<u>EXPENDITURES</u>	<u>EXPENDITURES</u>
Corporals	12	12	\$453,423	\$453,423
Benefits.....			\$158,698	\$158,698
Operating.....			\$20,048	\$1,344
Travel.....				
Capital outlay.....				
Aid.....				
Capital improvements.....				
TOTAL.....			<u>\$632,169</u>	<u>\$613,465</u>

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2019

LB⁽¹⁾ 230

FISCAL NOTE

State Agency OR Political Subdivision Name: ⁽²⁾ Nebraska Association of County Officials (NACO)

Prepared by: ⁽³⁾ Elaine Menzel Date Prepared: ⁽⁴⁾ 1/15/2019 Phone: ⁽⁵⁾ (402) 434.5660

ESTIMATE PROVIDED BY STATE AGENCY OR POLITICAL SUBDIVISION

	<u>FY 2019-20</u>		<u>FY 2020-21</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:

Although unknown, there is expected to be some fiscal impact to the counties with detention and staff secure facilities and staff secure juvenile facilities, primarily due to the continuous supervision requirement of a juvenile in room confinement. Additionally, the fiscal impact of this requirement would affect other counties that use the facilities in terms of contract rates for the detention and treatment of juveniles.

BREAKDOWN BY MAJOR OBJECTS OF EXPENDITURE

Personal Services:

<u>POSITION TITLE</u>	<u>NUMBER OF POSITIONS</u>		<u>2019-20 EXPENDITURES</u>	<u>2020-21 EXPENDITURES</u>
	<u>19-20</u>	<u>20-21</u>		
Benefits.....	_____	_____	_____	_____
Operating.....	_____	_____	_____	_____
Travel.....	_____	_____	_____	_____
Capital outlay.....	_____	_____	_____	_____
Aid.....	_____	_____	_____	_____
Capital improvements.....	_____	_____	_____	_____
TOTAL.....	_____	_____	_____	_____

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2019

LB⁽¹⁾ 230

FISCAL NOTE

State Agency OR Political Subdivision Name: ⁽²⁾ Lancaster County-Lancaster County Youth Services center

Prepared by: ⁽³⁾ Michelle Schindler Date Prepared: ⁽⁴⁾ 1/16/2019 Phone: ⁽⁵⁾ 4024417093

ESTIMATE PROVIDED BY STATE AGENCY OR POLITICAL SUBDIVISION

	FY 2019-20		FY 2020-21	
	EXPENDITURES	REVENUE	EXPENDITURES	REVENUE
GENERAL FUNDS	_____	_____	_____	_____
CASH FUNDS	_____	_____	_____	_____
FEDERAL FUNDS	_____	_____	_____	_____
OTHER FUNDS	_____	_____	_____	_____
TOTAL FUNDS	<u>13,816.64 + see notes</u>	_____	_____	_____

Explanation of Estimate:

245.25 total hours of room time based off our submitted reports for calendar year 2018.

Continuous monitoring based on one staff

Wages	9576.52
FICA	732.60
Pension	746.97
Insurance	2566.41
Dental	104.39
PEHP	0
LTD	37.35
<u>Projected Total</u>	<u>13,816.64</u>

****One thing we are not able to predict are large scale emergency situations that would require all youth in the facility to be placed in their rooms for more than one hour (large group disturbance, power outages, tornado warnings). These situations are highly unpredictable but with up to 40 residents at one time it would be inconceivable to expect direct 1-1 supervision of the youth in each room as required by 230 (if situation lasted more than one hour)

**** Should we house a youth with high needs that does not have internal controls responsive to our behavior management system, mental health interventions and/or medical interventions, we will be required to call in additional staff for supervision. Based upon the number of youth we detain who have been removed from Community Based placements due to acting out in said placements, we anticipate intermittent need for additional staff during waking hours. One FTE is approximately \$70,000.00. This could result in increases up to \$150,000 annually.

BREAKDOWN BY MAJOR OBJECTS OF EXPENDITURE

Personal Services:

POSITION TITLE	NUMBER OF POSITIONS		2019-20	2020-21
	19-20	20-21	EXPENDITURES	EXPENDITURES
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
Benefits.....	_____	_____	_____	_____
Operating.....	_____	_____	_____	_____

