

Updated for the 2020 Session

FISCAL NOTE
LEGISLATIVE FISCAL ANALYST ESTIMATE

ESTIMATE OF FISCAL IMPACT – STATE AGENCIES (See narrative for political subdivision estimates)				
	FY 2020-21		FY 2021-22	
	EXPENDITURES	REVENUE	EXPENDITURES	REVENUE
GENERAL FUNDS	1,585,170		2,324,675	
CASH FUNDS				
FEDERAL FUNDS				
OTHER FUNDS				
TOTAL FUNDS	1,585,170		2,324,675	

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 facilities. 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 \$641,402 in FY 21 and \$638,232 in FY 22. The Department of Health and Human Services indicates a need for 30 security specialists. The FY 21 costs would be \$946,938 and \$1,683,443 in FY 22.

Similarly counties with detention centers would also require additional staff or overtime. 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 - Updated	AM:	AGENCY/POLT. SUB: Nebraska Department of Correctional Services (046)
REVIEWED BY: Joe Wilcox	DATE: 01/07/2020	PHONE: (402) 471-4178
COMMENTS: No basis to dispute the Nebraska Department of Correctional Services (NDCS) updated estimate of potential Fiscal Impact to the Agency from LB 230. It should be noted that the updated fiscal note does not take into account the pending contract wage rates, which have not yet been ratified, between NDCS and the Fraternal Order of Police (FOP).		

ADMINISTRATIVE SERVICES STATE BUDGET DIVISION: REVIEW OF AGENCY & POLT. SUB. RESPONSE		
LB: 230 (Updated)	AM:	AGENCY/POLT. SUB: Nebraska Department of Health and Human Services (025)
REVIEWED BY: Joe Wilcox	DATE: 12/17/2019	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. The updated fiscal note is consistent with the original note from the Agency on this bill, with updates for the timing and subsequent pay rate increases.		

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

2020

LB⁽¹⁾ 230

FISCAL NOTE

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

Prepared by: ⁽³⁾ Lisa Stanton Date Prepared: ⁽⁴⁾ 01/06/2020 Phone: ⁽⁵⁾ (402)479-5702

ESTIMATE PROVIDED BY STATE AGENCY OR POLITICAL SUBDIVISION

	<u>FY 2020-21</u>		<u>FY 2021-22</u>	
	<u>EXPENDITURES</u>	<u>REVENUE</u>	<u>EXPENDITURES</u>	<u>REVENUE</u>
GENERAL FUNDS	<u>641,402</u>	<u> </u>	<u>638,232</u>	<u> </u>
CASH FUNDS	<u> </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>
TOTAL FUNDS	<u>641,402</u>	<u> </u>	<u>638,232</u>	<u> </u>

Explanation of Estimate:

The original fiscal note submitted 01/22/19 has been updated to reflect current wage rates. It does not take in to account pending contract changes that have not been ratified.

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>2020-21</u>	<u>2021-22</u>
	<u>20-21</u>	<u>21-22</u>	<u>EXPENDITURES</u>	<u>EXPENDITURES</u>
Corporals	<u>12</u>	<u>12</u>	<u>460,262</u>	<u>471,769</u>
Benefits.....			<u>161,092</u>	<u>165,119</u>
Operating.....			<u>20,048</u>	<u>1,344</u>
Travel.....			<u> </u>	<u> </u>
Capital outlay.....			<u> </u>	<u> </u>
Aid.....			<u> </u>	<u> </u>
Capital improvements.....			<u> </u>	<u> </u>
TOTAL.....			<u>641,402</u>	<u>638,232</u>

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 12-4-19

Phone: (5) 471-6719

	<u>FY 2020-2021</u>		<u>FY 2021-2022</u>	
	EXPENDITURES	REVENUE	EXPENDITURES	REVENUE
GENERAL FUNDS	\$946,938		\$1,683,443	
CASH FUNDS				
FEDERAL FUNDS				
OTHER FUNDS				
TOTAL FUNDS	\$946,938		\$1,683,443	

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. 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 the YRTC facilities would need an additional 10 staff for three shifts amongst all 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, 2020.

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	74.28	\$ 297
Deputy Director	4	53.48	\$ 214
Administrator I	4	30.82	\$ 123
Program Specialist	8	22.52	\$ 180
Program Analyst	16	21.91	\$ 351
Attorney III	30	33.82	\$ 1,015
Total Costs	66		\$ 2,180

MAJOR OBJECTS OF EXPENDITURE

PERSONAL SERVICES:	NUMBER OF POSITIONS		2020-2021 EXPENDITURES	2021-2022 EXPENDITURES	
	POSITION TITLE	20-21			21-22
Youth Security Specialist 1		7.5	10	\$158,453	\$281,695
Youth Security Specialist 2		15	20	\$366,257	\$651,123
Benefits.....				\$189,421	\$336,747
Operating.....				\$232,807	\$413,878
Travel.....					
Capital Outlay.....					
Aid.....					
Capital Improvements.....					
TOTAL.....				\$946,938	\$1,683,443