

PREPARED BY: Nikki Swope  
 DATE PREPARED: January 12, 2021  
 PHONE: 402-471-0042

**LB 29**

Revision: 00

**FISCAL NOTE**  
**LEGISLATIVE FISCAL ANALYST ESTIMATE**

<b>ESTIMATE OF FISCAL IMPACT – STATE AGENCIES</b> (See narrative for political subdivision estimates)				
	<b>FY 2021-22</b>		<b>FY 2022-23</b>	
	<b>EXPENDITURES</b>	<b>REVENUE</b>	<b>EXPENDITURES</b>	<b>REVENUE</b>
GENERAL FUNDS				
CASH FUNDS				
FEDERAL FUNDS				
OTHER FUNDS				
TOTAL FUNDS	See below		See below	

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

LB29 seeks to replace Arbor Day, the last Friday in April, with Juneteenth which occurs on June 19 as a legal State holiday.

Based on historical staffing patterns, the Games and Parks Commission estimate a minimal fiscal impact of \$4,656.34 for additional overtime staffing costs, expected at 177 staffing hours, as the parks would remain open for both Arbor Day and the new holiday, Juneteenth. The Game and Parks Commission would make internal adjustments to compensate for the additional wages needed.

The Nebraska State Patrol, if the labor contract would fail to be renegotiated to make the replace Arbor Day with Juneteenth, would incur a cost of \$32,979.31 in FY22 and FY23 for overtime costs for certain job classifications for the additional holiday. However, DAS reports that these contracts could be renegotiated and would eliminate the fiscal impact.

The Department of Health and Human Services, the Nebraska Department of Transportation, the University of Nebraska, and the Department of Administrative Services report nominal or no fiscal impact to adopt Juneteenth as a holiday and any additional costs could be funded by existing resources.

If the bill was passed as introduced, DAS-Employee Relations states the agency would negotiate agreements with all four labor unions, NAPE, FOP, SLEBC and SCATA, to make the necessary adjustments to the labor contract.

LB 29 has no fiscal impact.

<b>ADMINISTRATIVE SERVICES STATE BUDGET DIVISION: REVIEW OF AGENCY &amp; POLT. SUB. RESPONSE</b>			
LB: 29	AM:	AGENCY/POLT. SUB: Game and Parks Commission	
REVIEWED BY: Jacob Leaver	DATE: 1/15/2021	PHONE: (402) 471-4173	
COMMENTS: No basis to disagree with the Game and Parks Commission's estimate of no fiscal impact to the agency as a result of LB 29.			

<b>ADMINISTRATIVE SERVICES STATE BUDGET DIVISION: REVIEW OF AGENCY &amp; POLT. SUB. RESPONSE</b>			
LB: 29	AM:	AGENCY/POLT. SUB: State Patrol	
REVIEWED BY: Jacob Leaver	DATE: 1/22/2021	PHONE: (402) 471-4173	
COMMENTS: No basis to disagree with the fiscal impact of '22; however, the narrative indicates the contract is completed on June 30, 2021 which provides the opportunity to re-negotiate the contract and eliminate the cost for '23.			

CONTINUED

ADMINISTRATIVE SERVICES STATE BUDGET DIVISION: REVIEW OF AGENCY & POLT. SUB. RESPONSE		
LB: 29	AM:	AGENCY/POLT. SUB: Department of Health and Human Services
REVIEWED BY: Jacob Leaver	DATE: 1/20/2021	PHONE: (402) 471-4173
COMMENTS: No basis to disagree on the Department of Health and Human Services' estimate of no fiscal impact as a result of LB 29.		

ADMINISTRATIVE SERVICES STATE BUDGET DIVISION: REVIEW OF AGENCY & POLT. SUB. RESPONSE		
LB: 29	AM:	AGENCY/POLT. SUB: Department of Transportation
REVIEWED BY: Jacob Leaver	DATE: 1/21/2021	PHONE: (402) 471-4173
COMMENTS: No basis to disagree with the Department of Transportation's estimate of no fiscal impact to the agency as a result of LB 29.		

ADMINISTRATIVE SERVICES STATE BUDGET DIVISION: REVIEW OF AGENCY & POLT. SUB. RESPONSE		
LB: 29	AM:	AGENCY/POLT. SUB: University of Nebraska
REVIEWED BY: Jacob Leaver	DATE: 1/12/2021	PHONE: (402) 471-4173
COMMENTS: No basis to dispute the University of Nebraska's estimate of no fiscal impact to the agency as a result of LB 29.		

ADMINISTRATIVE SERVICES STATE BUDGET DIVISION: REVIEW OF AGENCY & POLT. SUB. RESPONSE		
LB: 29	AM:	AGENCY/POLT. SUB: Department of Administrative Services
REVIEWED BY: Jacob Leaver	DATE: 1/19/2021	PHONE: (402) 471-4173
COMMENTS: No basis to disagree with the Department of Administrative Services' estimate of no fiscal impact as a result of LB 29.		

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

**2021**

**LB<sup>(1)</sup> 29** – Replace Arbor Day w/ Juneteenth as state holiday \_\_\_\_\_

**FISCAL NOTE**

State Agency OR Political Subdivision Name: <sup>(2)</sup> Game and Parks Commission

Prepared by: <sup>(3)</sup> Christina Peters Date Prepared: <sup>(4)</sup> 1/11/2021 Phone: <sup>(5)</sup> (402) 471-5403

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

	<u>FY 2021-22</u>		<u>FY 2022-23</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 Net Fiscal Impact.

The replacement of a State Holiday in April (Arbor Day) with one in June (Juneteenth) affects the increased staffing costs at Park locations due to being within the busy summer camping season. In April, permanent staff are preparing for the upcoming camping season. Dependent on weather, there may be increased activity at the Parks, which requires employees needing to work the Arbor Day Holiday. By June, daily staff requirements affect Overtime pay and compensatory time earned.

Using 50% of the 4-year average staffing figures from Independence Day, (as Juneteenth will not be an additional Federal Day, so large increases in camping are not expected), an increase of 177 staffing hours would be expected. At the average 2020 cost per hour of Overtime pay (\$26.31), this would be an additional \$4,656.34 in staffing costs. (This is wages only, and does not include any benefits).

The Nebraska Game and Parks Commission would make internal adjustments to compensate for the additional wages needed.

**BREAKDOWN BY MAJOR OBJECTS OF EXPENDITURE**

Personal Services:

<u>POSITION TITLE</u>	<u>NUMBER OF POSITIONS</u>		<u>2021-22</u>	<u>2022-23</u>
	<u>21-22</u>	<u>22-23</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.

**2021**

**LB<sup>(1)</sup> 29**

**FISCAL NOTE**

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

Prepared by: <sup>(3)</sup> Carol Aversman Date Prepared: <sup>(4)</sup> 1/19/2021 Phone: <sup>(5)</sup> \_\_\_\_\_

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

	<u>FY 2021-22</u>		<u>FY 2022-23</u>	
	<u>EXPENDITURES</u>	<u>REVENUE</u>	<u>EXPENDITURES</u>	<u>REVENUE</u>
GENERAL FUNDS	\$32,979.31	_____	\$32,979.31	_____
CASH FUNDS	_____	_____	_____	_____
FEDERAL FUNDS	_____	_____	_____	_____
OTHER FUNDS	_____	_____	_____	_____
<b>TOTAL FUNDS</b>	<u>\$32,979.31</u>	_____	<u>\$32,979.31</u>	_____

**Explanation of Estimate:**

LB 29 provides for the elimination of the existing Arbor Day Holiday and the addition of a new holiday titled Juneteenth. Passage of this bill could result in employees receiving an additional holiday unless the terms of labor contracts are renegotiated. Because current labor contracts provide for the Arbor Day holiday, the Agency believes that we are still contractually obligated to continue to pay for that holiday unless renegotiations result in the removal of this holiday for future labor contracts. The current NAPE and SLEBC labor contracts expire on June 30, 2021. As contract negotiations have already been completed for the term of the new contract beginning July 1, 2021, and due to the fact that Arbor Day was not negotiated to be removed, this fiscal note reflects the continuation of that holiday, as well as the addition of the Juneteenth holiday.

A fiscal impact has been reflected, as it is unknown if a renegotiation would be successful in removing Arbor Day as a paid holiday from the terms of the labor contract. Additionally, because Juneteenth was not in existence at the time of the negotiations, it is assumed that the Agency would recognize and pay for the additional costs that would be incurred from employees working on this additional holiday. The amounts reflected in this fiscal note are the difference between paying employees at their regular rate of pay as compared to 1.5x their regular rate of pay, and in the case of overtime, at 2.0x their regular rate of pay. This includes an estimate based on historical hours worked on similar holidays for Troopers, Sergeant, Investigative Officers, investigative Sergeants, and Communications Specialists (dispatchers).

**BREAKDOWN BY MAJOR OBJECTS OF EXPENDITURE**

**Personal Services:**

<u>POSITION TITLE</u>	<u>NUMBER OF POSITIONS</u>		<u>2021-22</u>	<u>2022-23</u>
	<u>21-22</u>	<u>22-23</u>	<u>EXPENDITURES</u>	<u>EXPENDITURES</u>
State Patrol Troopers	_____	_____	\$27,114.46	\$27,114.46
State Patrol Communications Specialists	_____	_____	\$1,420.20	\$1,420.20
Benefits.....	_____	_____	\$4,444.65	\$4,444.65
Operating.....	_____	_____	_____	_____
Travel.....	_____	_____	_____	_____
Capital outlay.....	_____	_____	_____	_____
Aid.....	_____	_____	_____	_____
Capital improvements.....	_____	_____	_____	_____
<b>TOTAL.....</b>	_____	_____	<u>\$32,979.31</u>	<u>\$32,979.31</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 1-20-2021

Phone: (5) 471-6719

	<u>FY 2021-2022</u>		<u>FY 2022-2023</u>	
	<u>EXPENDITURES</u>	<u>REVENUE</u>	<u>EXPENDITURES</u>	<u>REVENUE</u>
<b>GENERAL FUNDS</b>				
<b>CASH FUNDS</b>				
<b>FEDERAL FUNDS</b>				
<b>OTHER FUNDS</b>				
<b>TOTAL FUNDS</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

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

**Explanation of Estimate:**

There is no fiscal impact to the Department of Health and Human Services.

**MAJOR OBJECTS OF EXPENDITURE**

PERSONAL SERVICES:	POSITION TITLE	NUMBER OF POSITIONS		2021-2022	2022-2023
		21-22	22-23	EXPENDITURES	EXPENDITURES
Benefits.....					
Operating.....					
Travel.....					
Capital Outlay.....					
Aid.....					
Capital Improvements.....					
<b>TOTAL.....</b>					<b>\$0</b>

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

**2021**

**LB<sup>(1)</sup> 29**

**FISCAL NOTE**

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

Prepared by: <sup>(3)</sup> Jenessa Boynton Date Prepared: <sup>(4)</sup> 1/13/2021 Phone: <sup>(5)</sup> 402-479-4691

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

	<u>FY 2021-22</u>		<u>FY 2022-23</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 29 proposes to replace Arbor Day as a designated State holiday with Juneteenth, June 19.

No Fiscal Impact.

**BREAKDOWN BY MAJOR OBJECTS OF EXPENDITURE**

**Personal Services:**

<u>POSITION TITLE</u>	<u>NUMBER OF POSITIONS</u>		<u>2021-22</u>	<u>2022-23</u>
	<u>21-22</u>	<u>22-23</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.

**2021**

**LB<sup>(1)</sup> 29**

**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> January 11, 2021 Phone: <sup>(5)</sup> 402-472-7109

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

	<u>FY 2021-22</u>		<u>FY 2022-23</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:

The bill would replace Arbor Day with Juneteenth as a State holiday. Other than some notifications and website changes, we do not believe that the bill would have any fiscal impact on the University.

**BREAKDOWN BY MAJOR OBJECTS OF EXPENDITURE**

Personal Services:

<u>POSITION TITLE</u>	<u>NUMBER OF POSITIONS</u>		<u>2021-22</u>	<u>2022-23</u>
	<u>21-22</u>	<u>22-23</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.

**2021**

**LB<sup>(1)</sup> 29**

**FISCAL NOTE**

State Agency OR Political Subdivision Name: <sup>(2)</sup> Department of Administrative Services (DAS) - Enterprise

Prepared by: <sup>(3)</sup> Sean Davis Date Prepared: <sup>(4)</sup> 1/8/21 Phone: <sup>(5)</sup> 402-471-8292

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

	<u>FY 2021-22</u>		<u>FY 2022-23</u>	
	<u>EXPENDITURES</u>	<u>REVENUE</u>	<u>EXPENDITURES</u>	<u>REVENUE</u>
GENERAL FUNDS	_____	_____	_____	_____
CASH FUNDS	_____	_____	_____	_____
FEDERAL FUNDS	_____	_____	_____	_____
REVOLVING FUNDS	_____	_____	_____	_____
TOTAL FUNDS	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>

**Explanation of Estimate:**

LB 29 would remove Arbor Day, the last Friday in April, as a state holiday and replace it with Juneteenth, June 19<sup>th</sup>.

If this bill was passed as introduced, Department of Administration (DAS) - Employee Relations would negotiate agreements with all four labor unions, NAPE/AFSCME, FOP 88, SLEBC and SCATA, to make the necessary adjustments to the Labor Contracts. No additional benefit or cost would be incurred or provided to any group of employees as an existing holiday is replaced by a new holiday.

The bill as introduced has no fiscal impact to the State.

**BREAKDOWN BY MAJOR OBJECTS OF EXPENDITURE**

**Personal Services:**

<u>POSITION TITLE</u>	<u>NUMBER OF POSITIONS</u>		<u>2021-22</u>	<u>2022-23</u>
	<u>21-22</u>	<u>21-23</u>	<u>EXPENDITURES</u>	<u>EXPENDITURES</u>
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
Benefits.....	_____	_____	_____	_____
Operating.....	_____	_____	_____	_____
Travel.....	_____	_____	_____	_____
Capital outlay.....	_____	_____	_____	_____
Aid.....	_____	_____	_____	_____
Capital improvements.....	_____	_____	_____	_____
TOTAL.....	_____	_____	_____	_____