

7/11/11

PREPARED BY: Doug Nichols  
DATE PREPARED: March 9, 2011  
PHONE: 471-0052

**LB 348**

Revision: 00

# FISCAL NOTE

LEGISLATIVE FISCAL ANALYST ESTIMATE

ESTIMATE OF FISCAL IMPACT – STATE AGENCIES *				
	FY 2011-12		FY 2012-13	
	EXPENDITURES	REVENUE	EXPENDITURES	REVENUE
GENERAL FUNDS				
CASH FUNDS				
FEDERAL FUNDS				
OTHER FUNDS				
TOTAL FUNDS				

\*Does not include any impact on political subdivisions. See narrative for political subdivision estimates.

This bill would change employer liability provisions under the Nebraska Workers' Compensation Act.

Both the Workers' Compensation Court and Administrative Services estimate the any fiscal impact cannot be determined.

Administrative Services states that the language of the bill may allow for a condition that under current law would be considered a pre-existing condition and therefore not compensable; however, it would be difficult to predict those cases that could be determined differently under the proposed bill.

The Workers' Compensation Court estimates that LB348 would almost certainly result in increased litigation and a corresponding increase in the workload of the judges and staff of the Workers' Compensation Court. Over time the cumulative effect of bills which increase the workload of the court may well result in the need for an additional judge and support staff. However, the Workers' Compensation Court is unable to quantify the additional workload which would result from this bill alone.

DEPARTMENT OF ADMINISTRATIVE SERVICES

REVIEWED BY	Joe Wilcox	1/24/11	PHONE 471-2526
COMMENTS			
WORKERS' COMP. COURT – No basis to dispute agency analysis.			
ADMIN. SERVICES RISK MANAGEMENT – No basis to dispute agency analysis and impact conclusion of “undetermined” at this time.			

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

RECEIVED

2011

LB<sup>(1)</sup> 348

FISCAL NOTE

JAN 21 2011

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

LEGISLATIVE NEBRASKA WORKERS' COMPENSATION COURT

Prepared by:<sup>(3)</sup> Glenn Morton

Date Prepared:<sup>(4)</sup> 1/21/11

Phone:<sup>(5)</sup> 471-3602

ESTIMATE PROVIDED BY STATE AGENCY OR POLITICAL SUBDIVISION

	FY 2011-2012		FY 2012-2013	
	EXPENDITURES	REVENUE	EXPENDITURES	REVENUE
GENERAL FUNDS	_____	_____	_____	_____
CASH FUNDS	_____	_____	_____	_____
FEDERAL FUNDS	_____	_____	_____	_____
OTHER FUNDS	_____	_____	_____	_____
TOTAL FUNDS	=====	=====	=====	=====

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

Explanation of Estimate:

LB 348 would almost certainly result in increased litigation and a corresponding increase in the workload of the judges and staff of the court. Over time the cumulative effect of bills which increase the workload of the court may well result in the need for an additional judge and support staff. However, we are unable to quantify the additional workload which would result from LB 348 alone, and therefore are unable to identify any fiscal impact for the court due to this bill by itself.

MAJOR OBJECTS OF EXPENDITURE

Personal Services:

POSITION TITLE	NUMBER OF POSITIONS		2011-2012	2012-2013
	11-12	12-13	EXPENDITURES	EXPENDITURES
Benefits .....	_____	_____	_____	_____
Operating .....	_____	_____	_____	_____
Travel .....	_____	_____	_____	_____
Capital outlay .....	_____	_____	_____	_____
Aid .....	_____	_____	_____	_____
Capital improvements .....	_____	_____	_____	_____
Total .....	_____	_____	_____	_____

RECEIVED  
 JAN 26 2011  
 LEGISLATIVE FISCAL

## 2011 Legislative Bill Proposal Fiscal Note

Bill #: 348

State Agency: Administrative Services – Risk Management

Prepared by: Shannon Anderson

Date Prepared: 01/24/11

Phone: 402-471-4436

Approved by:

### Estimate of Fiscal Impact – State Agencies

	FY 2011-12		FY 2012-13	
	Expenditures	Revenue	Expenditures	Revenue
General Funds				
Cash Funds				
Federal Funds				
Other Funds				
Total Funds				

**Explanation of Estimate:** LB 348: Would amend section 48-101 by adding that prevailing factor means the primary factor, in relation to any other factor, causing both the personal injury and the resulting disability when determining whether compensation is due the employee. While this language may allow for a condition that under current law would be considered a pre-existing condition and therefore not compensable, it would be difficult to predict those cases that could be determined differently under this proposed law. Therefore, no fiscal impact can be determined.

### Major Objects of Expenditure

**Personal Services:**

Position Title:	Number of Positions			2011-12	2012-13
	11-12	12-13		Expenditures	Expenditures
Benefits					
Operating					
Travel					
Capital Outlay					
Aid					
Capital Improvements					
<b>TOTAL</b>					