PREPARED BY: DATE PREPARED: PHONE: Phil Hovis January 20, 2015 471-0057

LB 24

Revision: 00

FISCAL NOTE

LEGISLATIVE FISCAL ANALYST ESTIMATE

ESTIMATE OF FISCAL IMPACT - STATE AGENCIES (See narrative for political subdivision estimates)						
	FY 201	15-16	FY 20	16-17		
	EXPENDITURES	REVENUE	EXPENDITURES	REVENUE		
GENERAL FUNDS	0	0	See below	See below		
CASH FUNDS						
FEDERAL FUNDS						
OTHER FUNDS	0	0	See below	See below		
TOTAL FUNDS	0	0	See below	See below		

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

LB24 changes provisions relating to the Nebraska Capitol Commission and the Office of the Nebraska Capitol Commission.

According to Sec. 72-2204: For administrative **and budgetary** purposes, the office (*Office of the Nebraska Capitol Commission*) shall be housed within the Department of Administrative Services (DAS), which department shall provide all of the accounting, personnel, information management, and communication support for the office. The DAS fiscal note for LB24 indicates that currently, DAS Central Finance staff provide assistance to OCC in the development, monitoring and submission of OCC's budget, and provides other financial services to OCC. Section 1 of LB24 strikes the "and budgetary" terminology referenced above. While it is not clear that striking this "budgetary" reference would preclude the existing arrangement under which DAS-Central Finance provides budgetary support services to OCC, the DAS fiscal note indicates the provisions of LB24 may necessitate the addition of 0.5 FTE Administrative Assistant II position (presumably to the OCC staff) to assist in meeting the provisions of LB24.

Section 3 of LB24 amends Sec. 72-2213 by adding a new subsection (5):

(5) All office or storage space in the State Capitol shall be subject to rental rates as provided in section 81-1108.38.

Section 4 of LB24 amends Sec. 81-1108.38. These amendments include a new subsection (3) of this section that provides:

(3) The commission (Nebraska Capitol Commission) **may** (b) establish rental rates to be effective July 1, 2017, and periodically thereafter, for office or storage space in the State Capitol that reflect operating costs including routine maintenance and repairs. The commission shall remit all rent received under subdivision (b) of this subsection to the State Treasurer for credit to the Capitol Commission Revolving Fund.

The DAS fiscal note for LB24 provides an estimate of a Capitol rental rate per square foot (of an estimated 226,376 square feet of office and storage space occupied by Capitol occupant state agencies) that would be necessary to generate revenue sufficient to meet OCC's 2014-15 operating budget of \$3,693,302 (98.9% of which is supported by appropriation of General Funds). This estimated rental rate is \$16.31 per square foot. To the extent that the Nebraska Capitol Commission **may** establish rental rates effective July 1, 2017 for Capitol occupant agencies, related revenue would accrue to the Capitol Commission Revolving Fund and be available to support the OCC operating budget beginning in FY2017-18 and offset the current General Fund appropriation level for this purpose. However, this General Fund reduction would presumably be substantially offset by requests from Capitol occupant agencies for General Funds to meet rental charges for which they heretofore have not been obligated. Only a minor proportion of Capitol space is occupied by entities that could utilize funds other than the General Fund (i.e. cash or revolving funds) to meet rental charges for space which they occupy in the Capitol.

Ultimately, the fiscal impact of LB24 is currently indeterminate. While the bill provides that the Nebraska Capitol Commission **may** establish rental rates to be effective July 1, 2017 for Capitol occupant agencies, it does not require such. The fiscal impact of LB24 is largely dependent up whether and the extent to which the Nebraska Capitol Commission would establish rental rates for Capitol occupant agencies under authority granted by the bill.

ADMINISTRATIVE SERVICES-STATE BUDGET DIVISION: REVIEW OF AGENCY & POLT. SUB. RESPONSES					
LB: 24 AM: AGENCY/POLT. SUB: Secretary of State					
REVIEWED BY: Gary Bush DATE: 1/20/15 PHONE: 471-4161					HONE: 471-4161
COMMENTS: Agree with the estimates provided by the agency for the potential impact.					

ADMINISTRATIVE SERVICES-STATE BUDGET DIVISION: REVIEW OF AGENCY & POLT. SUB. RESPONSES					
LB: 24 AM: AGENCY/POLT. SUB: Dept. of Administrative Services					
REVIEWED BY: Ga	ary Bush	DATE: 1/20/15	PHONE: 471-4161		
COMMENTS: Agree with the estimates provided by the agency for the potential impact to DAS and to other agencies.					

ADMINISTRATIVE SERVICES-STATE BUDGET DIVISION: REVIEW OF AGENCY & POLT. SUB. RESPONSES

LB: 24 AM:	AGENCY/POLT. SUB: Treasurer			
REVIEWED BY: Gary Bush	DATE: 1/20/15	PHONE: 471-4161		
COMMENTS: Section 3(5) of the bill pro	vides that all "office or storage space" shall be su	bject to rental rates as determined		
in section 4(3)(b). Section 4(1)(g) provid	es for the State Capital Administrator to keep on f	ile all signed leases for space that		
was not allocated in 72-2213. Because the Treasurer is allocated space in 72-2113 and all space would be subject to rental				
rates, it appears the Treasurer would be	required to pay rent and have a fiscal impact beca	ause of the new rent cost. The		
actual impact would be determined by the	e amount of space used and the rental rate deterr	nined by the Capital Commission		
for the Treasurer				

ADMINISTRATIVE SERVICES-STATE BUDGET DIVISION: REVIEW OF AGENCY & POLT. SUB. RESPONSES					
LB: 24 AM: AGENCY/POLT. SUB: Governor's Office					
REVIEWED BY: Gary Bush DATE:			DATE: 1/20/15	PHONE: 471-4161	
COMMENTS: No basis to disagree with the estimate provided.					

ADMINISTRATIVE SERVICES-STATE BUDGET DIVISION: REVIEW OF AGENCY & POLT. SUB. RESPONSES						
LB: 24	AM:	AGENCY/PO	OLT. SUB: Supreme Cour	t		
REVIEWED BY: Gary Bush DATE: 1/20/15 PHONE: 4				PHONE: 471-4161		
COMMENTS: No basis to disagree with the estimate provided by the Supreme Court.						

ADMINISTRATIVE SERVICES-STATE BUDGET DIVISION: REVIEW OF AGENCY & POLT. SUB. RESPONSES				
LB: 24 AM: AGENCY/POLT. SUB: Attorney General				
REVIEWED BY: Gary Bush			DATE: 1/16/15	PHONE: 471-4161

COMMENTS: Section 3(5) of the bill provides that all "office or storage space" shall be subject to rental rates as determined in section 4(3)(b). Section 4(1)(g) provides for the State Capital Administrator to keep on file all signed leases for space that was not allocated in 72-2213. Because the Attorney General is allocated space in 72-2113 and all space would be subject to rental rates, it appears the Attorney General would be required to pay rent and have a fiscal impact because of the new rent cost. The actual impact would be determined by the amount of space used and the rental rate determined by the Capital Commission for the Attorney General.

ADMINISTRATIVE SERVICES-STATE BUDGET DIVISION: REVIEW OF AGENCY & POLT. SUB. RESPONSES					
LB: 24	LB: 24 AM: AGENCY/POLT. SUB: Auditor of Public Accounts				
REVIEWED BY: Gary Bush			DATE: 1/16/15	PHONE: 471-4161	
COMMENTS:	COMMENTS: Estimate of impact by the Auditor of Public Accounts appears to be reasonable given the assumptions made.				

LB ⁽¹⁾ 24				FISCAL NOTE
State Agency OR Political Subdivision Name:	STATE	TREASURER		
Prepared by: (3) Jason Walters	Date Prep	ared: (4) January	y 16, 2015 Pi	hone: (5) 402-471-2793
ESTIMATE PRO	OVIDED BY STATE	E AGENCY OR PO	OLITICAL SUB	DIVISION
	FY 2015-16		ז	FY 2016-17
<u>EXPENDITU</u>		ENUE EX	XPENDITURE:	
GENERAL FUNDS				
CASH FUNDS				
FEDERAL FUNDS				
OTHER FUNDS				
TOTAL FUNDS				
Explanation of Estimate:				
No fiscal impact				
BREAKI Personal Services:	OOWN BY MAJOR	OBJECTS OF EX	PENDITURE	
	NUMBER OF PO		2015-16	2016-17 C EXPENDITURES
POSITION TITLE	<u>15-16</u>	<u>16-17</u> <u>E</u>	XPENDITURE	<u>EXPENDITURES</u>
Benefits				
Operating		_		_
Travel				
Capital outlay		_		_
Aid		_		_
Capital improvements		_		
TOTAL	•	_		

LB ⁽¹⁾ 24			FISCAL NOTE
State Agency OR Political Subdivision Name: (2)	Supreme Court		
Prepared by: (3) Eric Asboe	Date Prepared: (4)1	/17/15 Phone:	(5) 471-4138
ESTIMATE PROVID	ED BY STATE AGENCY	OR POLITICAL SUBDIVI	SION
FY 2	015-16	FY 20	16-17
EXPENDITURES	REVENUE	<u>EXPENDITURES</u>	REVENUE
GENERAL FUNDS			
CASH FUNDS			
FEDERAL FUNDS			
OTHER FUNDS			
TOTAL FUNDS			
Personal Services:	ly 1, 2017, on Capitol spices space not allocated tures would increase st	by this statute. Therefor arting in FY17-18 based time since the rental rate	e, General Fund, and on the rental rates
	15-16 16-17	EXPENDITURES	EXPENDITURES
Benefits			
Operating			
Travel			
Capital outlay			
Aid			
Capital improvements			
TOTAL			

TOTAL.....

LB ⁽¹⁾ 24					FISCAL NOTE
State Agency OR F	Political Subdivision Name: (2)	Governor	(Agency 07)		
Prepared by: (3)	Lauren Kintner	Date Prepar	ed: (4) _ January 16, 2015	Phone: (5)	471-2414
	ESTIMATE PROV	IDED BY STATE A	GENCY OR POLITICAL	SUBDIVISIO	ON
				TV	
	<u>EXPENDITURE</u>	<u>Y 2015-16</u> ES REVEN	<u>UE</u> <u>EXPENDIT</u>	<u>FY 2016</u> <u>URES</u>	-17 REVENUE
GENERAL FUN	DS	<u></u>			
CASH FUNDS					
FEDERAL FUNI	os —	_			
OTHER FUNDS					
TOTAL FUNDS					
Evulanation of E	stimate: The bill has two	= = ==================================			
	power to appoint the State pitol Commission. There i				would be appointed by
state agencies wh will be derived; t agency cannot ab	equire the Governor's Officient occupy space in the Catherefore, it is not possible osorb a new rental charge fund the agency would be requi	apitol pay rent. The to attribute a preci for its office and sto	e bill fails to state how the se General Fund impact to	amount of th the Governo	e new rental charges r's Office. The
	BREAKDO	OWN BY MAJOR O	BJECTS OF EXPENDITU	JRE	
Personal Services	S:				
POSIT	ION TITLE	NUMBER OF POSI 15-16 1	TIONS 2015-1 6-17 EXPENDIT		2016-17 EXPENDITURES
		<u> </u>	<u> </u>		
Benefits				<u> </u>	
Operating					
Capital improven	nents				

TOTAL.....

LB ⁽¹⁾ 24					FISCAL NOTE		
State Agency OR Political Subdivision Nam	ne: (2) Ne	ebraska Secr	ska Secretary of State				
Prepared by: (3) Suzanne Hinzman	Da	Date Prepared: (4) 1/16/2015 Phone: (5) 402-471-2384					
ESTIMATE PI	ROVIDED BY	STATE AGEN	CY OR POLITIC	AL SUBDIVI	SION		
	FY 2015-1	6		FY 20	016-1 <u>7</u>		
EXPENDIT		REVENUE	EXPEND		REVENUE		
GENERAL FUNDS							
CASH FUNDS							
FEDERAL FUNDS			_				
OTHER FUNDS							
TOTAL FUNDS0		0		<u> </u>	0		
Explanation of Estimate:	-						
have estimated rental charges to or office areas and storage areas utilized paid for through state general funds be included in the next biennial but our agency. In addition, based on to be paid from cash funds will require licensing fees or some combination	zed by our ag s and 25% th dget submitta our projected uire statutory	gency in the ca nrough cash ful al and would re d needs of cash	pitol, we estimands. Any rental sult in increased funds in the ag	te that 75% charges as: d general fulgency, the p	of the rent would be sessed would need to nd appropriation for ortion of rent required		
·	KDOWN BY I	MAJOR OBJEC	TS OF EXPENDI	<u>TURE</u>			
Personal Services: POSITION TITLE	NUMBER <u>15-16</u>	R OF POSITION 16-17	S 2015 EXPEND		2016-17 EXPENDITURES		
Benefits	 						
Operating							
Travel							
Capital outlay							
Aid Capital improvements							
Cupital improvements	• • • • • • • • • • • • • • • • • • • •						

TOTAL.....

LB ⁽¹⁾ 24				FISCAL NOTE
State Agency OR Political S	ubdivision Name: (2)	Attorney Genera	ul	
Prepared by: (3) Jay Ba	rtel	Date Prepared: (4)	1-14-15 Phone:	(5) 1-2687
•	SCOUNT A THE DROWN	ED DV CTATE ACEN	CY OR POLITICAL SUBDI	VISION
	ESTIMATE PROVIDE	ED BI STATE AGEN	CI OR POLITICAL SCEDE	Y151011
	<u>FY 20</u> <u>EXPENDITURES</u>	15-16 <u>REVENUE</u>	FY 20 EXPENDITURES	016-17 REVENUE
GENERAL FUNDS	0		0	
CASH FUNDS				
FEDERAL FUNDS)
OTHER FUNDS			-	(
TOTAL FUNDS	0		0	
pursuant to § 4, and no	ot on space allocated terpretation, our office	d or assigned to con ce would only pay fo	on office or storage space stitutional officers and the runallocated space that we	Courts pursuant to §
Personal Services:	<u>BREAKDOWN</u>	BY MAJOR OBJECT	S OF EXPENDITURE	
POSITION TI		MBER OF POSITIONS <u>5-16</u> <u>16-17</u>	S 2015-16 EXPENDITURES	2016-17 EXPENDITURES
Benefits	WELVER TO STRUMENT CONT.			
Operating				
Travel				
Capital outlay				
Aid	************			-
Capital improvements				

LB ⁽¹⁾ 24				FISCAL NOTE	
State Agency OR Political Subdivision Name: (2)		Auditor of Public	Auditor of Public Accounts		
Prepared by: (3) Mary	v Avery	_ Date Prepared: ⁽⁴⁾	1/14/14 Ph	one: (5) 4024713686	
	ESTIMATE PROVIDI	ED BY STATE AGEN	ICY OR POLITICAL SU	BDIVISION	
	FY 20			Y 2016-17	
	EXPENDITURES	<u>REVENUE</u>	EXPENDITURES	REVENUE	
GENERAL FUNDS	\$24,304				
CASH FUNDS					
FEDERAL FUNDS					
OTHER FUNDS					
TOTAL FUNDS	\$24,304			<u> </u>	

Explanation of Estimate:

LB 24, as currently written, would require additional General Funds to cover the rent expense for office and storage space for the Auditor of Public Accounts. While we do not have the exact square footage nor do we know what the rent per square foot would be based on or calculated as, we have used an estimated square footage of our current space in the Capitol and the square footage rate charged at the NSOB. Based on estimated 3011 sq ft and the \$7.84 rent per sq. ft., the estimated rent would be \$24,304 per year. This amount is an estimate only, as actual amounts are unknown and would need to be adjusted to the actual square footage times the actual rent per square foot. We would need the additional appropriations to afford this rental increase, as we have not budgeted for rent of the Capitol office space.

BREAK	DOWN BY MAJ	OR OBJECTS C	OF EXPENDITURE	
Personal Services:				
	NUMBER OF	POSITIONS	2015-16	2016-17
POSITION TITLE	<u>15-16</u>	<u>16-17</u>	EXPENDITURES	EXPENDITURES
	_			
Benefits				
Operating	••••		\$24,304	\$24,304
Travel				
Capital outlay				
Aid				
Capital improvements				
TOTAL			\$24,304	\$24,304

LB ⁽¹⁾ 24				FISCAL NOTE		
State Agency OR F	Political Subdivision Name: (2)	Administrative Services - Office of the Capitol Commission, Director's Office, State Accounting, State Budget, State Building Division, Materiel, Office of the CIO				
Prepared by: (3)	Robert C. Ripley Ann Martinez	Date Prepared: (4)	1-14-15 Phone: (5	402-471-0419 402-471-4135		
	ESTIMATE PROVIDE	– ED BY STATE AGEN	ICY OR POLITICAL SUBDIVI	SION		
	FY 20	<u>15-16</u>	FY 201	6-17		
	EXPENDITURES	<u>REVENUE</u>	EXPENDITURES	<u>REVENUE</u>		
GENERAL FUN	DS					
CASH FUNDS						
FEDERAL FUNI	DS		<u> </u>			
OTHER FUNDS			<u> </u>			
TOTAL FUNDS	0	0	0	0		

Explanation of Estimate:

LB24 provides for the appointment of the State Capitol Administrator within the Office of the Capitol Commission (OCC) by the Nebraska Capitol Commission and not the Governor.

The bill also provides that effective July 1, 2017, all space in the Capitol will be subject to rental rates utilizing a revolving fund and that any leases generated will be maintained. The proposed bill also removes the budgetary process from the services provided by Department of Administrative Services (AS). Currently AS-Central Finance provides assistance in the development, monitoring and submission of the program's budget, and provides other financial services. The bill provides that the Commission will develop the budget, set rental rates, and work with the OCC to generate leases and create the rental billings. This may require the addition of a .5 Administrative Assistant II position at an estimated cost of \$35,000.

Since this bill would not take effect until July 1, 2017 changes to FY2015-16 and FY2016-17 amounts are not applicable.

With the passage of LB24, the funding source for the Office of the Capitol Commission's operational budget (Program 685) would be covered by a monthly rental billing to all Capitol occupant-agencies via a revolving fund process. This revolving fund process would shift the OCC's operational budget funding from the General Fund.

The calculation of a per square foot rental rate below assumes that all office or storage space in the State Capitol [excluding the space occupied by the OCC, Café, Gift Shop and Vending Rooms] shall be subject to rental rates as provided in sections 81-1108.38 and 72-2211.01.

Taking the existing OCC operating budget of \$3,693,302 and dividing it by the estimated number of rentable square feet of 226,376 (office and storage) currently occupied by the client-agencies, it is estimated that the rental rate is approximately \$16.31 per square foot. (\$3,693,302 / 226,376 sq. = \$16.31 per sq. ft.) This estimate does not take into account operational increases which will occur in salaries, benefits, utilities, etc. between now and FY17-18. The rental rate for FY17-18 would be determined and published in June 2016. The square feet numbers used are also estimated and are currently used for informational purposes only. The total square footage numbers and the amount that is currently occupied by each client-agency are currently only used as part of the Statewide Cost Allocation Plan by State Accounting. An in depth measurement of the Capitol areas will have to be completed as part of the rental rate development.

Approximately \$923,000 will be needed by the Office of the Capitol Commission's revolving fund. This amount will be necessary to provide and maintain a reserve of approximately three months (90 days) of operational expenses to ensure that sufficient cash is available to meet payroll, utilities and other operational costs, as well as various contractually required annual payments. (\$3,693,320 total FY14-15 appropriation / 12 months X 3 months = \$923,330.)

The estimated rental amount above is exclusive of any costs for building renovation or work historically accomplished through other program funding.

Other Divisions within AS – Director's Office, State Accounting, State Budget Office, State Building Division, Materiel and the Office of the OCIO will also be impacted as they currently occupy [office and/or storage space] in the Capitol. The impact by Division using the current estimated rental rate of \$16.31 per square foot is detailed below. The estimate uses current estimated occupied square footage numbers and assumes that the rate is flat both years of the biennium. Please see the table below:

AS Division	Estimated Occupied Sq. Ft	Estimated Annual Rent @ \$16.31 per Sq. Ft
Director's Office	1,691	\$27,580
State Accounting	8,078	\$131,752
State Budget	3,614	\$58,944
State Building Division	345	\$5,627
Materiel	1,242	\$20,257
Office of the OCIO	2,964	\$48,343

Director's Office: This increase in expenditure will require additional revolving fund appropriation for each fiscal year of that biennium and an increase in the Director's Office assessment to the Divisions of AS. This increase in assessment could result in an increase in the General Fund budgets or cost of goods and services provided by these Divisions.

State Accounting: This increase will require additional revolving fund appropriation and an increase in the annual State Accounting Assessment.

The table below summarizes the estimated impact by fund type of the increased statewide Accounting Assessment. The allocation by fund type is based on total FY13-14 operational expenditures, which is the most current data available at this time.

Statewide Impact by Fund Type of Accounting Assessment Increase					
	FY2017-18 FY2018-19				
	Expenditures	Expenditures			
General Funds	43,443	43,443			
Cash Funds	45,027	45,027			
Federal Funds	19,586	19,586			
Revolving Funds	23,696	23,696			
Total Funds	131,752	131,752			

State Budget: This increase will require additional General Fund appropriation for each fiscal year of that biennium.

State Building Division: This increase will require additional revolving fund appropriation for each fiscal year of that biennium and an increase in the program's administrative budget. This increase could impact rental rates at those facilities administered by State Building Division.

Materiel: This increase in Mail Room expenditures will require additional revolving fund appropriation for each fiscal year of that biennium and a possible increase in the postage surcharge to cover these additional costs.

Office of the OCIO (OCIO): Effective July 1, 2017 the estimated annual rent for storage space for equipment that is located in the Capitol will be \$48,343 (2,964 sq. ft. X \$16.31 = \$48,343). This could require additional revolving fund appropriation for each fiscal year of that biennium and a possible increase in the cost of services provided by the OCIO to cover these additional costs.

The table below summarizes the estimated impact by fund type for AS for the increased costs as a result of paying rent at the Capitol. Any increase in revolving fund appropriation impacts assessment and/or the rates necessary to cover the costs of goods and services provided to other State Agencies.

Summary of Impact on DAS by Fund Type				
	FY2017-18 FY2018-19			
Expenditures Expenditures				
General Funds	58,944	58,944		
Revolving Funds	233,559	233,559		
Total Funds	292,503	292,503		

Others who currently occupy space at the Capitol will also be impacted. The information in the table below uses the same assumptions regarding the estimated sq. ft. and the rental rate. Though several of the Agencies have multiple funding sources, it is assumed that the rental costs are administrative and paid by General Funds.

	Estimated Rental Costs at the Capitol				
Agency	Estimated Sq. Ft. Office/Storage	Annual Rent @ \$16.31 per Sq. Ft	Funding Type General Fund	Other – Funding Type	
Legislature	106,419	1,735,694	1,735,694		
Supreme Court	60,072	979,774	979,774		
Governor	12,214	199,210	18,055		
Lt. Governor	776	12,657	12,657		
Secretary of State	9,801	159,854	159,854		
Auditor's Office	3,922	63,968	63,968		
Attorney General	4,866	79,364	79,364		
State Treasurer	3,223	52,567	52,567		
State Patrol	1,099	17,925	17,925		
Latino American Commission	555	9,052	9,052		
Indian Commission	568	9,264	9,264		
Volunteer Service Commission (non- State Agency	1,107	18,055		18,055	
Accountability & Disclosure	2,225	36,290	36,290		
Total	206,847	3,373,675	3,555,619	18,055	

<u>BREAKI</u>	OOWN BY MA.	JOR OBJECTS O	<u>F EXPENDITURE</u>	
Personal Services:				
	NUMBER O	F POSITIONS	2015-16	2016-17
POSITION TITLE	<u>15-16</u>	<u>16-17</u>	EXPENDITURES	EXPENDITURES
_				
Benefits				
Operating	•••			
Travel				
Capital outlay	· ··			
Aid				
Capital improvements				

	 -
TOTAL	