Doug Nichols January 30, 2018 402-471-0052

LB 792

Revision: 00 FISCAL NOTE LEGISLATIVE FISCAL ANALYST ESTIMATE

ESTIMATE OF FISCAL IMPACT – STATE AGENCIES (See narrative for political subdivision estimates)				
	FY 2018-19		FY 2019-20	
	EXPENDITURES	REVENUE	EXPENDITURES	REVENUE
GENERAL FUNDS	84,910		86,548	
CASH FUNDS				
FEDERAL FUNDS				
OTHER FUNDS				
TOTAL FUNDS	84,910		86,548	

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

This bill would change powers and duties of the Nebraska State Patrol, law enforcement agencies, the executive director of the Nebraska Commission on Law Enforcement and Criminal Justice, and the Attorney General. The bill has the emergency clause.

The Crime Commission estimates the following costs associated with this bill:

	FY2018-19	FY2019-20	FY2018-19	FY2019-20
ITEMS	Number o	f Positions	Expend	litures
Deputy Director of Administration	1.00	1.00	50,471	51,480
Benefits			31,439	32,068
Operating			1,500	1,500
Travel			1,500	1,500
TOTAL	1.00	1.00	84,910	86,548

The Crime Commission states that it is necessary to establish a Deputy Director of Administration at the Law Enforcement Training Center. These additional duties can't be absorbed by the current staff at the Training Center because this is a significant workload increase. See the agency response attached for additional details not included in this fiscal note.

The Attorney General, the University of Nebraska, the State Patrol, and the Game and Parks Commission estimate no fiscal impact from this bill.

The City of Fremont estimates a per year cost of \$250 for staff time. See the city's response attached for additional details not included in this fiscal note.

The Cities of Imperial, Lincoln, and Omaha estimate no fiscal impact from this bill.

ADMINISTRATIVE SERVICES STATE BUDGET DIVISION: REVIEW OF AGENCY & POLT. SUB. RESPONSE					
LB: 792 AM:		AGENCY/POLT. SUB: Nebraska Sta	ate Patrol (064)		
REVIEWED BY: Joe Wilcox		DATE: 01/29/2018	PHONE: (402) 471-4178		
COMMENTS	: No basis to dispute the	ne Nebraska State Patrol estimate of No Fisca	al Impact to the Agency from LB 792.		

LB792

ADMIN	ADMINISTRATIVE SERVICES STATE BUDGET DIVISION: REVIEW OF AGENCY & POLT. SUB. RESPONSE					
LB: 792 AM:		AGENCY/POLT. SUB: University of	Nebraska (051)			
REVIEWED BY: Joe Wilcox		DATE: 01/22/2018	PHONE: (402) 471-4178			
COMMENTS LB792.	COMMENTS: No basis to dispute the University of Nebraska estimate of No Fiscal Impact to the University System from LB792.					

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

LB: 792	AM:	AGENCY/POLT. SUB: City of Omaha			
REVIEWED BY:	Ann Linneman	DATE: 1-16-18	PHONE: (402) 471-4180		
COMMENTS: Cor	COMMENTS: Concur with the City of Omaha's estimate of no fiscal impact.				

ADMINISTR	ADMINISTRATIVE SERVICES STATE BUDGET DIVISION: REVIEW OF AGENCY & POLT. SUB. RESPONSE					
LB: 792 Criminal Justice (AM: 078)	AGENCY/POLT. SUB: Nebraska Co	mmission on Law Enforcement and			
REVIEWED BY: J	oe Wilcox	DATE: 01/16/2018	PHONE: (402) 471-4178			
	COMMENTS: No basis to dispute the Nebraska Commission on Law Enforcement and Criminal Justice (Crime Commission) estimate of potential additional staffing and Fiscal Impact to the Agency from LB 792.					

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

LB: 792 AM:		AGENCY/POLT. SUB: Nebraska Att	orney General (011)
REVIEWED BY: Joe Wilcox		DATE: 01/16/2018	PHONE: (402) 471-4178
COMMENTS: No basis to dispute the Neb		he Nebraska Attorney General estimate of No	Fiscal Impact to the Agency from LB 792.

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

LB: 792 AM:		AGENCY/POLT. SUB: City of Lincoln	
REVIEWED E	BY: Joe Wilcox	DATE: 01/10/2018	PHONE: (402) 471-4178
COMMENTS: No basis to dispute the City		the City of Lincoln estimate of No Fiscal Impact to	the City from LB 792.

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

LB: 792 AM: AGENCY/POLT. SUB: City of Fremont		nt	
REVIEWED BY: Joe Wilcox		DATE: 01/10/2018	PHONE: (402) 471-4178
COMMENTS: No basis to dispute the City		the City of Fremont estimate of potential Fiscal	Impact to the City from LB 792.

ADMINISTRATIVE SERVICES STATE BUDGET DIVISION: REVIEW OF AGENCY & POLT. SUB. RESPONSE				
LB: 792 AM:		AGENCY/POLT. SUB: Nebraska Game and Parks Commission (033)		
REVIEWED BY: Joe Wilcox		DATE: 01/10/2018	PHONE: (402) 471-4178	
COMMENTS from LB 792.	•	Nebraska Game and Parks Commission estimate of No Fiscal Impact to the Agency		

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

LB: 792	AM:	AGENCY/POLT. SUB: City of Imperia	al
REVIEWED B	SY: Joe Wilcox	DATE: 01/08/2018	PHONE: (402) 471-4178
COMMENTS:	No basis to dispute	the City of Imperial estimate of No Fiscal Impact	t to the City from LB 792.

LB ⁽¹⁾ 79	2						FISCAL NOTE
State Agency C	DR P	olitical Subdivisi	on Name: ⁽²⁾	NE Comm On Law	Enforcement	(Crime Com	mission)
Prepared by:	(3)	Bruce Ayers		Date Prepared: (4)	1-11-2018	Phone: ⁽⁵⁾	471-0359
		ESTIMA	TE PROVID	ED BY STATE AGENO	Y OR POLITIC	AL SUBDIVISIC)N
			FY 2	2018-19		FY 2019-	-20
		EXPE	NDITURES	REVENUE	<u>EXPEND</u>		REVENUE
GENERAL F	UNE	DS					
CASH FUND	S						
FEDERAL F	UNE	S					
OTHER FUN	I DS						
TOTAL FUN	IDS						

Explanation of Estimate: Section 1 of LB 792 requires law enforcement agencies to submit a report to the Crime Commission of any officer who is terminated or allowed to resign in lieu of termination for conduct that could constitute (a) incompetence, (b) neglect of duty, (c) incapacity, (d) final conviction or pleading guilty to a felony, or (e) dishonesty or other violations of the officer's code of ethics or statutory duties.

To properly administer revocation cases and the provisions of LB 792, it is necessary to establish a Deputy Director of Administration at the Law Enforcement Training Center. These additional duties can't be absorbed by the current staff at the Training Center (Director, Deputy Director Training, Agency Legal Counsel) because this is a significant workload.

The Center currently only has a Deputy Director of Training. The Deputy Director of Administration would be responsible for: (1) corresponding with agencies regarding change-in-status issues that merit further review including termination due to misconduct, resignation in lieu of termination for conduct that could constitute revocation of law enforcement certification, retirement due to incapacitation, and violations of the one year training requirement; (2) track, supervise, and serve as lead coordinator over active revocation complaints investigated by Training Center staff; (3) contact agencies not in compliance with hiring standards; (4) and conduct annual inspections of five training academies.

The benefits in this fiscal note assume family insurance and a 2% increase in personal services in FY 19-20.

BREAKDOWN BY MAJOR OBJECTS OF EXPENDITURE						
Personal Services:						
POSITION TITLE	NUMBER OI <u>18-19</u>	F POSITIONS <u>19-20</u>	2018-19 <u>EXPENDITURES</u>	2019-20 <u>EXPENDITURES</u>		
	1.0	1.0	50,471	51,480		
Benefits			31,439	32,068		
Operating			1,500	1,500		
Travel			1,500	1,500		
Capital outlay			0	0		

Aid	0	0
Capital improvements	0	0
TOTAL	84,910	86,548

LB ⁽¹⁾ 792					FISCAL NOTE
State Agency OR I	Political Subdivision Name: ⁽²⁾	Attorney General			
Prepared by: ⁽³⁾	Josh Shasserre	Date Prepared: ⁽⁴⁾	1-12-18	Phone: ⁽⁵⁾	471-2687
	ESTIMATE PROVI	DED BY STATE AGEN	ICY OR POLITICAL	SUBDIVIS	ION
	<u>FY</u> EXPENDITURES	2018-19 <u>REVENUE</u>	<u>EXPENDITU</u>	<u>FY 2019</u> <u>RES</u>	-20 <u>REVENUE</u>
GENERAL FUN	DS	· · · · · · · · · · · · · · · · · · ·			
CASH FUNDS		-			
FEDERAL FUN	DS				<u></u>
OTHER FUNDS			e		
TOTAL FUNDS		1			
Explanation of E	stimate:				
No Fiscal Impa	ct.				

BREAKD	OWN BY MA.	JOR OBJECTS O	F EXPENDITURE	
Personal Services:				
		POSITIONS	2018-19	2019-20
POSITION TITLE	<u>18-19</u>	<u>19-20</u>	EXPENDITURES	EXPENDITURES
		<u>11</u> 0	<u></u>	
Benefits				
Operating	π5		· · · · · · · · · · · · · · · · · · ·	
Travel				2
Capital outlay	17			
Aid	**			
Capital improvements	82.)			
TOTAL	a.			

LB ⁽¹⁾ 792				FISCAL NOTE
State Agency OR F	Political Subdivision Name: ⁽²⁾	City of Lincoln		
Prepared by: ⁽³⁾	James Van Bruggen	Date Prepared: (4)	1/10/18 Phone	e: ⁽⁵⁾ 402-4418325
	ESTIMATE PROVIE	DED BY STATE AGENO	Y OR POLITICAL SUBDIV	/ISION
	EV	2018-19	EV 1	2019-20
	EXPENDITURES		EXPENDITURES	REVENUE
GENERAL FUN	DS			
CASH FUNDS				
FEDERAL FUNI	DS			
OTHER FUNDS				
TOTAL FUNDS				

Explanation of Estimate:

Most of the activities in this bill are currently being done by the City of Lincoln. No additional fiscal impact.

BREAKDOWN BY MAJOR OBJECTS OF EXPENDITURE							
Personal Services:							
	NUMBER OF	POSITIONS	2018-19	2019-20			
POSITION TITLE	<u>18-19</u>	<u>19-20</u>	<u>EXPENDITURES</u>	<u>EXPENDITURES</u>			
			·				
Benefits							
Operating							
Travel							
Capital outlay							
Aid							
Capital improvements							
TOTAL							

LB ⁽¹⁾	792				FISCAL NOTE
State Age	ency OR Pol	litical Subdivision Name: ⁽²⁾	City of Omaha		
Prepare	d by: ⁽³⁾	Tyler Leimer	Date Prepared: (4)	1/10/2017 Ph	one: ⁽⁵⁾ (402)444-4514
		ESTIMATE PROVID	ED BY STATE AGENC	Y OR POLITICAL SUB	DIVISION
		FY 2	2018-19	F	Y 2019-20
		EXPENDITURES	REVENUE	EXPENDITURES	
GENER	AL FUND	S			
CASH F	UNDS				
FEDER	AL FUNDS	<u> </u>			
OTHER	FUNDS				
TOTAL	FUNDS				

Explanation of Estimate: No fiscal impact

POSITION TITLE 18-19 19-20 EXPENDITURES EXPENDIT Benefits.			<u>F EXPENDITURE</u>	OR OBJECTS O	OWN BY MAJ	BREAKD
POSITION TITLE 18-19 19-20 EXPENDITURES EXPENDIT Benefits.						Personal Services:
Benefits Operating Travel Capital outlay Aid		2019-2				
Operating	<u>FURES</u>	<u>EXPENDIT</u>	<u>EXPENDITURES</u>	<u>19-20</u>	<u>18-19</u>	POSITION TITLE
Operating						
Operating						
Operating						Benefits
Travel						
Capital outlay					•	Operating
Aid						Travel
Aid						Capital outlay
(`anital improvements						
						Capital improvements
TOTAL						TOTAL

LB ⁽¹⁾ 792				FISCAL NOTE
State Agency OR Political S	Subdivision Name: ⁽²⁾	City of Fremont		
Prepared by: (3) J Ellio	tt	Date Prepared: (4)	01-10-2017 Phon	e: ⁽⁵⁾ 402-727-2630
E	STIMATE PROVID	DED BY STATE AGENO	Y OR POLITICAL SUBDI	VISION
	FY	2018-19	FY	2019-20
	EXPENDITURES		EXPENDITURES	REVENUE
GENERAL FUNDS	\$250		\$250	
CASH FUNDS				
FEDERAL FUNDS				
OTHER FUNDS				
TOTAL FUNDS				

Explanation of Estimate:

Cost of the time for the Chief to prepare a report and cost of the time to have the report administratively filed and forwarded to the proper authorities.

Costs breakdown is approximately four hours per year of the Chiefs time (\$50.00 per hour) and two hours per year of clerical time (\$25 per hour) to meet these requirements for a total of \$250.00 per year.

BREAKDOWN BY MAJOR OBJECTS OF EXPENDITURE							
Personal Services:							
	NUMBER OF	POSITIONS	2018-19	2019-20			
POSITION TITLE	<u>18-19</u>	<u>19-20</u>	<u>EXPENDITURES</u>	<u>EXPENDITURES</u>			
Benefits							
Operating							
Travel							
Capital outlay							
Aid							
Capital improvements							
TOTAL							

	792				FISCAL NOTE
State Agency OR I	Political Subdivision Name: ⁽²⁾	City of Imperial			
Prepared by: ⁽³⁾	Jo Leyland	Date Prepared: ⁽⁴⁾	1-105-18	_ Phone: (5)	308-882-4368
	ESTIMATE PROVI	<u>DED BY STATE AGEN</u>	CY OR POLITICAL	<u>L SUBDIVIS</u>	ION
		2018-19 BEVENUE	FUDENDITI	<u>FY 2019</u>	
GENERAL FUN CASH FUNDS FEDERAL FUNI OTHER FUNDS TOTAL FUNDS Explanation of E	DS	<u>REVENUE</u>			
	No Fixal	impact			

Personal Services:	NUMBER OF	POSITIONS	2018-19	2019-20
POSITION TITLE	<u>18-19</u>	<u>19-20</u>	EXPENDITURES	EXPENDITURES
Benefits	,			
Operating				
Travel				
Capital outlay				
Aid			·	
Capital improvements				·
TOTAL	•			

2018

LB ⁽¹⁾ 792			FISCAL NOTE
State Agency OR Political Subdivision Name: ⁽²⁾	University of Nebr	aska	
Prepared by: ⁽³⁾ Michael Justus	Date Prepared: ⁽⁴⁾	January 20, 2018 Phone:	(5) 402-472-2191
ESTIMATE PROV	/IDED BY STATE AGEN	NCY OR POLITICAL SUBDI	VISION
EX	2018-19	EV ac)19-20
EXPENDITURE		<u>EXPENDITURES</u>	<u>REVENUE</u>
GENERAL FUNDS			
CASH FUNDS			
FEDERAL FUNDS			
OTHER FUNDS	_		
TOTAL FUNDS	_		

Explanation of Estimate:

LB 792 dealing with law enforcement hiring and separations would have no fiscal impact on the University.

BREAK	DOWN BY MA.	IOR OBJECTS C	OF EXPENDITURE	
Personal Services:				
POSITION TITLE	NUMBER OF POSITIONS <u>18-19</u> <u>19-20</u>		2018-19 <u>EXPENDITURES</u>	2019-20 <u>EXPENDITURES</u>
Benefits				
Operating				
Travel			<u> </u>	
Capital outlay				
Aid				
Capital improvements TOTAL				

LB ⁽¹⁾ 792 Law	Enforcement	Officer hiring &	separation		FISCAL NOTE	
State Agency OR Political Subdivision Name: (2) Nebraska Game and Parks Commission						
Prepared by: ⁽³⁾ Patric	ck H. Cole	Date Prepared: (4)	1/4/2018	Phone: (5)	402-471-5523	
	ESTIMATE PROVID	DED BY STATE AGENC	Y OR POLITICAL S	UBDIVISIO	DN	
	FY	2018-19		FY 2019	-20	
	EXPENDITURES	REVENUE	<u>EXPENDITU</u>	-	REVENUE	
GENERAL FUNDS						
CASH FUNDS						
FEDERAL FUNDS						
OTHER FUNDS						
TOTAL FUNDS						

Explanation of Estimate:

The proposed legislation would change powers and duties of the Nebraska State Patrol, law enforcement agencies, the executive director of the Nebraska Commission on Law Enforcement and Criminal Justice, and the Attorney General, especially as it relates to hiring and separation reporting of law enforcement officers.

No Fiscal Impact is anticipated.

BREAKDOWN BY MAJOR OBJECTS OF EXPENDITURE						
Personal Services:						
	NUMBER OF	POSITIONS	2018-19	2019-20		
POSITION TITLE	<u>18-19</u>	<u>19-20</u>	<u>EXPENDITURES</u>	<u>EXPENDITURES</u>		
Benefits						
Operating						
Travel						
Capital outlay						
Aid						
Capital improvements						
TOTAL						

LB ⁽¹⁾ 792					FISCAL NOTE
State Agency OR Po	litical Subdivision Name: ⁽²⁾	Nebraska State Pa	atrol		
Prepared by: ⁽³⁾	Carol Aversman	Date Prepared: (4)	1-15-2018	Phone: ⁽⁵⁾	
	ESTIMATE PROVID	DED BY STATE AGENC	Y OR POLITICA		ON
	EV '	2018-19		FY 2019	20
	EXPENDITURES	REVENUE	EXPENDI		<u>REVENUE</u>
GENERAL FUND	S				
CASH FUNDS					
FEDERAL FUNDS	S				
OTHER FUNDS					
TOTAL FUNDS					
Explanation of Est	imate:				

No Fiscal Impact

Personal Services:			0010.10	
POSITION TITLE	NUMBER OF <u>18-19</u>	POSITIONS <u>19-20</u>	2018-19 <u>EXPENDITURES</u>	2019-20 <u>EXPENDITURES</u>
Benefits				
Operating				
Travel				
Capital outlay Aid				
Capital improvements				
TOTAL				