Eric Kasik February 13, 2024 402-471-0053

LB 1190

Revision: 01 FISCAL NOTE LEGISLATIVE FISCAL ANALYST ESTIMATE

Revised to include fiscal note response from county.

ESTIMATE OF FISCAL IMPACT – STATE AGENCIES (See narrative for political subdivision estimates)					
	FY 2024-25			Y 2025-26	
	EXPENDITURES	REVENUE	EXPENDITURES	REVENUE	
GENERAL FUNDS					
CASH FUNDS					
FEDERAL FUNDS					
OTHER FUNDS					
TOTAL FUNDS					

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

LB1190 requires reports be submitted by all State of Nebraska, Douglas County, and City of Omaha agencies, boards, and commissions to the Department of Administrative Services by August 1 of each year containing the following information:

- Name of recipient and dollar amount paid for all professional service contracts awarded.
- Name of recipient and dollar amount paid on professional service contracts awarded to individuals or entities located within an economic redevelopment area.
- A description of efforts made to increase contracts awarded to individuals or entities located within the economic redevelopment area.

The bill requires DAS to submit a summary report to the Governor, Legislative Clerk and Urban Affairs Committee by September 1st of each year.

The bill withholds state aid from those entities who do not comply with the requirements of this bill.

The state agencies surveyed (DHHS, NDCS, DAS, NDOT, and the State Treasurer's office) estimate the additional costs associated with this bill will be absorbed into their current budget.

The Omaha Police Department anticipates the need to hire an additional staff person to oversee, organize, and maintain the reporting requirements of this bill. We have no basis to disagree with this estimate.

The city of Omaha estimates the reporting element of the bill will take time and coordination, but it is unclear what it will cost.

Douglas county estimates more than \$34,000 each year to carry out the reporting requirements of the bill. We have no basis to disagree with this estimate.

No Fiscal Impact for the state agencies.

ADMINIST	RATIVE SERVICES	STATE BUDGET DIVISION: RE	VIEW OF AGENCY & POLT. SUB. RESPONSE
LB: 1190 AM: AGENCY/POLT. SUB: Nebraska Department of Correctional Services			
REVIEWED BY:	Kimberly Burns	DATE: 01/22/2024	PHONE: (402) 471-4171
COMMENTS: C from LB 1190.	Concur with the Nebra	aska Department of Correctional	Services' estimate of no fiscal impact

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

LB: 1190	AM:	AGENCY/POLT. SUB: State Treasurer		
REVIEWED BY:	Kimberly Burns	DATE: 01/25/2024	PHONE: (402) 471-4171	
COMMENTS: T	COMMENTS: The State Treasurer's estimate of no fiscal impact from LB 1190 appears reasonable.			

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

LB: 1190	AM:	AGENCY/POLT. SUB: Omaha Police Department		
REVIEWED BY:	Kimberly Burns	DATE: 01/26/2024	PHONE: (402) 471-4171	
COMMENTS: N	COMMENTS: No basis to disagree with the Omaha Police Department's estimate of fiscal impact from LB 1190.			

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

LB: 1190	AM:	AGENCY/POLT. SUB: Dept.	of Administrative Services, Materiel Division
REVIEWED BY:	Kimberly Burns	DATE: 01/26/2024	PHONE: (402) 471-4171

COMMENTS: The Department of Administrative Services, Materiel Division's assessment of no fiscal impact from LB 1190 appears reasonable.

LB: 1190	AM:	AGENCY/POLT. SUB: Nebraska Department of Economic Development	
REVIEWED BY:	Kimberly Burns	DATE: 02/07/2024	PHONE: (402) 471-4171

COMMENTS: The Nebraska Department of Economic Development's assessment of no fiscal impact from LB 1190 appears reasonable.

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

LB: 1190	AM:	AGENCY/POLT. SUB: Department of Health and Human Services		
REVIEWED BY	: Kimberly Burns	DATE: 02/08/2024	PHONE: (402) 471-4171	
	COMMENTS: The Department of Health and Human Services' assessment of indeterminate fiscal impact related to workload from LB 1190 seems reasonable based on the bill's provisions.			

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

LB: 1190	AM:	AGENCY/POLT. SUB: Nebraska Department of Transportation (NDOT)	
REVIEWED BY:	Kimberly Burns	DATE: 02/08/2024	PHONE: (402) 471-4171

COMMENTS: The Nebraska Department of Transportation's assessment of no fiscal impact from LB 1190 appears reasonable.

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

LB: 1190	AM:	AGENCY/POLT. SUB: City of Omaha		
REVIEWED BY:	Kimberly Burns	DATE: 02/09/2024	PHONE: (402) 471-4171	
COMMENTS: No basis to disagree with the City of Omaha's assessment of indeterminate fiscal impact from LB 1190.				

LB1190 ⁽¹⁾ Ado	Adopt the Professional Service Contract Reporting Act				
State Agency OR Polit	ical Subdivision Name: ⁽²⁾	Douglas County			
Prepared by: ⁽³⁾ Daniel A. Esch		Date Prepared: ⁽⁴⁾	2/12/2024 Phone: ⁽⁵⁾	402-444-6552	
	ESTIMATE PROVIDE	<u>D BY STATE AGEN(</u>	<u>CY OR POLITICAL SUBDIVIS</u>	ION	
	<u>FY 202</u> EXPENDITURES	2 <u>4-25</u> REVENUE	<u>FY 2025-</u> EXPENDITURES	<u>-26</u> <u>REVENUE</u>	
GENERAL FUNDS	(\$34,300)	0	(\$34,990)	0	
CASH FUNDS					
FEDERAL FUNDS					
OTHER FUNDS					
TOTAL FUNDS	(\$34,300)	0	(\$34,990)	0	

Explanation of Estimate:

The above represents our best estimate of the fiscal impact the passage of LB1190 would have on Douglas County. We attached a spreadsheet that outlines how we arrived at the figures for FY2024-25. Please note, we are unsure how to interpret some of the requirements of the LB (see the questions listed on the second page of our attachment). The answer to those questions would likely have an impact on our estimate.

For FY2025-26, the increase in expenditures account for a two percent cost of living increase. However, it's possible it could cost less going forward as we figure out more efficient ways to capture the information that needs to be reported.

Personal Services:	NUMBER OF	F POSITIONS	2024-25	2025-26
POSITION TITLE	24-25	25-26	EXPENDITURES	EXPENDITURES
Salary – Oracle Functional Lead	1	1	\$9,547	\$9,738
Salary – Finance & Accounting Manager	1	1	\$9,546	\$9,737
Benefits – Oracle Functional Lead	1	1	\$6,104	\$6,258
Benefits - Finance & Accounting Manager	1	1	\$6,103	\$6,257
Operating – GIS Services			\$3,000	\$3,000
Travel				
Capital outlay				
Aid				
Capital improvements				
TOTAL			\$34,300	\$34,990

LB ⁽¹⁾ 1190				I	FISCAL NOTE
State Agency OR Political Su	ubdivision Name: (2)	Nebraska Departn	nent of Correctior	nal Service	es
Prepared by: ⁽³⁾ Lisa Sta	anton	Date Prepared: ⁽⁴⁾	01/17/2024	Phone: ⁽⁵⁾	(402)479-5702
ES	TIMATE PROVID	DED BY STATE AGEN	CY OR POLITICAL	SUBDIVIS	ION
	FY 9	2024-25		FY 2025	5-26
	EXPENDITURES	REVENUE	<u>EXPENDITU</u>	JRES	REVENUE
GENERAL FUNDS					
CASH FUNDS					
FEDERAL FUNDS					
OTHER FUNDS					
TOTAL FUNDS					
Explanation of Estimate:					

NDCS estimates no fiscal impact as a result of LB 1190.

BREAKDOWN BY MAJOR OBJECTS OF EXPENDITURE

Personal Services:				
	NUMBER OI	F POSITIONS	2024-25	2025-26 <u>EXPENDITURES</u>
POSITION TITLE	<u>24-25</u>	<u>25-26</u>	EXPENDITURES	
	<u> </u>		<u></u>	
Benefits				
Operating				
Travel				
Capital outlay				
Aid				
Capital improvements				
TOTAL				

LB ⁽¹⁾ 1190				I	FISCAL NOTE
State Agency OR Political Su	ıbdivision Name: (2)	State Treasurer			
Prepared by: ⁽³⁾ Jason \	Walters	Date Prepared: ⁽⁴⁾	Jan. 22, 2024	Phone: ⁽⁵⁾	402-471-2793
E	<u>STIMATE PROVII</u>	DED BY STATE AGEN	ICY OR POLITICA	L SUBDIVIS	ION
	<u>FY 2</u> EXPENDITURES	2024-25 <u>REVENUE</u>	EXPENDITI	<u>FY 2025-</u> <u>JRES</u>	- <u>26</u> <u>REVENUE</u>
GENERAL FUNDS					
CASH FUNDS					
FEDERAL FUNDS					
OTHER FUNDS					
TOTAL FUNDS					
Explanation of Estimate:					

The State Treasurer's Office doesn't expect any fiscal impact from LB 1190 to the office.

	Jon obeleto o	T EAI ENDITORE	BREAKDOWN BY MAJOR OBJECTS OF EXPENDITURE							
UMBER O	F POSITIONS	2024-25	2025-26							
<u>24-25</u>	25-26	EXPENDITURES	EXPENDITURES							
	UMBER OI	UMBER OF POSITIONS	UMBER OF POSITIONS 2024-25							

LB ⁽¹⁾	1190					I	FISCAL NOTE			
State Age	ency OR Po	olitical Sub	odivision Name: (2)	Omaha Police Dep	Omaha Police Department					
Prepared	ł by: ⁽³⁾	Deputy (Cerveny	Chief Steve	Date Prepared: ⁽⁴⁾	1/23/24	Phone: ⁽⁵⁾	402-689-1018			
		ES	TIMATE PROVI	DED BY STATE AGEN	CY OR POLITICAL	SUBDIVIS	ION			
		2024-25 <u>REVENUE</u>	<u>FY 2025</u> EXPENDITURES		- <u>26</u> <u>REVENUE</u>					
GENER	AL FUNI	DS _	\$125,000		\$85,000					
CASH FU	UNDS	-								
FEDERA	AL FUND	S _								
OTHER	FUNDS	-								
TOTAL	FUNDS	=	\$125,000	\$0	\$85,000		\$0			

Explanation of Estimate:

LB 1190 would potentially impact the Omaha Police Department in the following financial manner:

<u>2024</u>: Approx. \$85,000 – Hire Police Administrative Section secretary to oversee, organize & maintain reporting requirements (salary & benefits)

Approx. \$15,000 - Training to fulfill requirements.

Approx. \$25,000 - Office supplies, materials & equipment to fulfill requirements.

<u>2025</u>:

Approx. \$85,000 – Hire Police Administrative Section secretary to oversee, organize & maintain reporting requirements (salary & benefits)

BREAKDOWN BY MAJOR OBJECTS OF EXPENDITURE

	NUMBER OF POSITIONS		2024-25	2025-26	
POSITION TITLE	<u>24-25</u>	25-26	EXPENDITURES	EXPENDITURES	
Benefits					
Operating					
Travel					
Capital outlay					
Aid					
Capital improvements					
TOTAL					

LB ⁽¹⁾ 1190					FISCAL NOTE
State Agency OR Po	olitical Subdivision Name: ⁽²⁾	Department of Adr State Purchasing I	•	riel Division,	
Prepared by: ⁽³⁾	Jennifer Sommars-Link	Date Prepared: ⁽⁴⁾	1/7/2024	Phone: (5)	402-471-1405
	ESTIMATE PROVI	DED BY STATE AGEN	CY OR POLITICAL	SUBDIVIS	ION
<u>FY :</u> EXPENDITURES		2024-25 <u>REVENUE</u>	<u>EXPENDITU</u>	<u>FY 2025-</u> <u>RES</u>	- <u>26</u> <u>REVENUE</u>
GENERAL FUND	os				
CASH FUNDS					
FEDERAL FUND	s				
OTHER FUNDS					
TOTAL FUNDS					

Explanation of Estimate:

LB 1190 establishes the Professional Service Contract Reporting Act and provides that on or before August 1, 2024, and on or before August 1 of each year thereafter, each city, county, and state agency shall submit to Materiel Division a report containing information regarding all professional services contracts awarded during the most recently completed fiscal year, as described in the bill.

Materiel Division is to compile the information reported and submit a comprehensive report to the Governor, Clerk of the Legislature, and the Urban Affairs Committee, as well as make the report available on the website of the Department of Administrative Services. Materiel Division is required to notify the governing body and the State Treasurer of any noncompliance, which will result in a suspension of distribution of state aid for a period of six months or until the report is submitted.

If the Materiel Division is only required to send notification for failure to submit the report, then Materiel Division can absorb the costs associated with proposed law using existing funds.

The requirements of the bill can be completed with existing resources. No fiscal impact is anticipated.

BREAKDOWN BY MAJOR OBJECTS OF EXPENDITURE							
Personal Services:							
	NUMBER O	F POSITIONS	2024-25	2025-26			
POSITION TITLE	<u>24-25</u>	<u>25-26</u>	EXPENDITURES	EXPENDITURES			
			,				
Benefits							
Operating							
Travel							
Capital outlay							
Aid							
Capital improvements							
TOTAL							

LB ⁽¹⁾ 1190			FISCAL NOTE				
State Agency OR Political Subdivision Name: ⁽²⁾	Nebraska Departn	Nebraska Department of Economic Development					
Prepared by: ⁽³⁾ Dave Dearmont	Date Prepared: ⁽⁴⁾	2/6/2024 Phone:	5) 402-471-3777				
ESTIMATE PROVIDED BY STATE AGENCY OR POLITICAL SUBDIVISION							
FY	2024-25	FY 20	25-26				
EXPENDITURES	<u>REVENUE</u>	EXPENDITURES	<u>REVENUE</u>				
GENERAL FUNDS							
CASH FUNDS							
FEDERAL FUNDS							
OTHER FUNDS							
TOTAL FUNDS							

Explanation of Estimate:

LB1190 would create the Professional Service Contract Reporting Act. The act requires an annual report—due August 1, 2024, and each August 1st thereafter—from each city, county, or state agency covered by the act. The report is to contain information on each individual or entity awarded a professional service contract during the previous fiscal year. The information is to be divided between contracts awarded to entities or individuals located inside and outside Economic Redevelopment Areas or Qualified Census Tracts; and a description of any efforts made to increase the number of contracts awarded to entities or individuals located in Economic Redevelopment Areas or Qualified Census Tracts, material division will compile the individual reports and submit to the Legislature and the Legislature's Urban Affairs Committee.

The bill, as drafted would have minimal impact of DED operations. This includes compiling the report for the agency. This activity can be accomplished with current resources.

BREAKI	DOWN BY MAJO	OR OBJECTS OF	<u>F EXPENDITURE</u>	
Personal Services:				
POSITION TITLE	NUMBER OF POSITIONS <u>24-25</u> <u>25-26</u>		2024-25 <u>EXPENDITURES</u>	2025-26 <u>EXPENDITURES</u>
Panafita				
Benefits				
Operating				
Travel				
Capital outlay				
Aid				
Capital improvements				
TOTAL				

LB (1) 1190

FISCAL NOTE

ESTIMATE PROVIDED BY STATE AGENCY OR POLITICAL SUBDIVISION

State Agency or Political Subdivision Name:(2) Department of Health and Human Services

Prepared by: (3) John Meals	Date Prepa	red 2-8-2024	Phone: (5) 471-6719 <u>FY 2025-2026</u>		
	<u>FY 2024</u>	-2025			
	EXPENDITURES	REVENUE	EXPENDITURES	REVENUE	
GENERAL FUNDS					
CASH FUNDS					
FEDERAL FUNDS					
OTHER FUNDS					
TOTAL FUNDS	\$0	\$0	\$0	\$0	
—					

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

Explanation of Estimate:

LB1190 adopts the Professional Service Contract Reporting Act. On or before August 1, 2024, and each year thereafter, each city, county, and state agency, as identified in the bill, must submit a report to the materiel division of the Department of Administrative Services (DAS) identifying various details related to professional service contracts. On or before September 1, 2024, and each year thereafter, DAS shall compile the information and submit a comprehensive report to the Governor, the Legislature, and the Urban Affairs Committee of the Legislature. DAS will make the report available on their website.

The additional time and effort needed for collecting, compiling, and reporting data is unknown at this time. Any cost would be absorbed by the Department of Health and Human Services. Should this additional burden prove substantial, a request will be submitted at that time.

MAJOR OBJECTS OF EXPENDITURE					
PERSONAL SERVICES:					
	NUMBER OF		2024-2025	2025-2026	
POSITION TITLE	24-25	25-26	EXPENDITURES	EXPENDITURES	
Benefits					
Operating					
Travel					
Capital Outlay					
Aid					
Capital Improvements					
TOTAL			\$0	\$0	

LB ⁽¹⁾ 1190			FISCAL NOTE		
State Agency OR Political Subdivision Name: (4	" Nebraska Departr	nent of Transportation (ND	OT)		
Prepared by: ⁽³⁾ Jenessa Boynton	Date Prepared: ⁽⁴⁾	2/5/2024 Phone: ⁽⁵⁾	402-479-4691		
ESTIMATE PROVIDED BY STATE AGENCY OR POLITICAL SUBDIVISION					
F	Y 2024-25	FY 202.	5-06		
<u>EXPENDITURI</u>		EXPENDITURES	<u>REVENUE</u>		
GENERAL FUNDS					
CASH FUNDS					
FEDERAL FUNDS					
OTHER FUNDS					
TOTAL FUNDS	=				

Explanation of Estimate:

LB 1190 creates the Professional Service Contract Act. As adopted each city, county, and state agency shall submit a report to the Material Division of Department of Administrative Service (DAS) on or before August 1, 2024, and each year thereafter. The report shall contain information specified in Section 3 of the Act related to professional service contracts made during the most recently completed state fiscal year. In addition, on or before September 1, 2024, DAS shall electronically submit a comprehensive report from the compiled information to the Governor, the Clerk of Legislature, and Urban Affairs Committee of the Legislature.

If any city or county fails to submit an annual report, the State Treasurer shall suspend distribution of state aid allocated to the city or county until the reports are submitted. Failure to compile within a six-month period will result in suspended funds being forfeited and redistributed to other recipients of the state aid.

If enacted, NDOT will be able to accommodate the reporting requirements within existing resources.

OWN BY MAJO	OR OBJECTS OF	<u>EXPENDITURE</u>	
NUMBER OF	F POSITIONS	2024-25	2025-26
<u>24-25</u>	<u>25-26</u>	EXPENDITURES	EXPENDITURES
	NUMBER OF	NUMBER OF POSITIONS 24-25 25-26	<u>24-25</u> <u>25-26</u> EXPENDITURES

LB ⁽¹⁾ 1190				I	FISCAL NOTE	
State Agency OR Political S	Subdivision Name: ⁽²⁾	City of Omaha				
Prepared by: ⁽³⁾ Tyler	Leimer	Date Prepared: ⁽⁴⁾	2/8/2024	Phone: ⁽⁵⁾	402-444-4514	
ESTIMATE PROVIDED BY STATE AGENCY OR POLITICAL SUBDIVISION						
		2024-25		FY 2025-	-96	
	EXPENDITURES	<u>REVENUE</u>	EXPENDITU		<u>REVENUE</u>	
GENERAL FUNDS	SEE BELOW		SEE BELO	W		
CASH FUNDS						
FEDERAL FUNDS						
OTHER FUNDS						
TOTAL FUNDS						

Explanation of Estimate:

Expenses for this bill are hard to estimate. The report mentioned in LB 1190 would take considerable time and effort across multiple departments using one or multiple parties to create. In addition to the report, these parties would also need to provide a description of efforts of the City to increase contracts to individuals and entities in economic redevelopment areas, taking additional time and resources. All resources spent on this project would be redundant as the City of Omaha already regulates how contracts are chosen/awarded.

This type of reporting is redundant to what the City already utilizes in order to choose professional service contracts. In order to best serve the City, the City of Omaha uses many different methods to choose a contract for professional services, regardless of where those individuals or entities lie within the City. One of those measures is the bidding system, in which contractors bid on professional services within the City and the best one is chosen for the work based on how well they are able to fulfill the requirements needed by the City, not whether they live within an economical redevelopment area.

BREAKDOWN BY MAJOR OBJECTS OF EXPENDITURE					
Personal Services:					
POSITION TITLE	NUMBER OF POSITIONS <u>24-25</u> <u>25-26</u>		2024-25 <u>EXPENDITURES</u>	2025-26 <u>EXPENDITURES</u>	
Benefits					
Operating	•••				
Travel					
Capital outlay					
Aid Capital improvements					
TOTAL					

2024