

FISCAL NOTE
LEGISLATIVE FISCAL ANALYST ESTIMATE

ESTIMATE OF FISCAL IMPACT – STATE AGENCIES (See narrative for political subdivision estimates)				
	FY 2023-24		FY 2024-25	
	EXPENDITURES	REVENUE	EXPENDITURES	REVENUE
GENERAL FUNDS	\$1,230,239		\$1,297,369	
CASH FUNDS				
FEDERAL FUNDS				
OTHER FUNDS				
TOTAL FUNDS	\$1,230,239		\$1,297,369	

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

LB478 amends several sections to change provisions relating to the Nebraska Juvenile Code & the education of certain juveniles.

All public schools in Nebraska, including, but not limited to, schools operated by school districts & education programs that serve juveniles detained, placed, or committed outside of such juveniles' homes by an order of the juvenile court or pursuant to the Nebraska Juvenile code, shall be accredited by the Nebraska Department of Education (NDE).

Beginning July 1, 2024, if a juvenile is detained, placed, or committed outside of the juvenile's home by an order of the juvenile court or pursuant to any provision of the Nebraska Juvenile Code for more than twenty-four hours, the court will immediately notify the superintendent of the school district.

On or before July 1, 2024, NDE will establish an educational division responsible for the education of juveniles placed, committed, or detained outside of their homes or otherwise unable to attend school as a result of an order of the juvenile court or pursuant to the Nebraska Juvenile Code.

On & after July 1, 2024, the responsibility for education programs in state institutions under the supervision of the Department of Health & Human Services (DHHS) that house juveniles will transfer to NDE & their educational division.

On & after July 1, 2024, whenever DHHS is referred to or designated by any contract or other document in connection with the duties & functions transferred to NDE. All contracts entered into by DHHS prior to July 1, 2024, in connection with the duties & functions transferred to NDE are recognized, with NDE succeeding to all rights & obligations under those contracts.

On July 1, 2024, all books, documents, & records of DHHS pertaining to the duties & functions transferred to NDE will become the property of NDE & their education division.

EXPENDITURES:

DHHS estimates LB478 will eliminate an FTE with salary/benefits of \$111,838 & also eliminate operating expenses of \$79,159.

NDE estimates that the creation of the new educational division will add 9 FTEs to their staffing. For FY2023-24, the salary/benefits will be \$1,054,230, the operating expenses will be \$89,441, & the travel expenses will be \$48,406. For FY2024-25, the salary/benefits will be \$1,106,942, the operating expenses will be \$69,728, & the travel expenses will be \$49,858. NDE also estimates the need for \$150,000 annually for materials, supplies, professional learning, & contracted services.

ADMINISTRATIVE SERVICES STATE BUDGET DIVISION: REVIEW OF AGENCY & POLT. SUB. RESPONSE		
LB: 478	AM:	AGENCY/POLT. SUB: Nebraska Department of Correctional Services (046)
REVIEWED BY: Joe Wilcox	DATE: 02/09/2023	PHONE: (402) 471-4178
COMMENTS: No disagreement with the Nebraska Department of Correctional Services (NDCS) estimate of No Fiscal Impact to the Agency from LB 478.		

ADMINISTRATIVE SERVICES STATE BUDGET DIVISION: REVIEW OF AGENCY & POLT. SUB. RESPONSE		
LB: 478	AM:	AGENCY/POLT. SUB: Nebraska Supreme Court (005)
REVIEWED BY: Joe Wilcox	DATE: 03/10/2023	PHONE: (402) 471-4178
COMMENTS: No disagreement with the Nebraska Supreme Court estimate of Minimal Fiscal Impact to Agency from LB 478, with no additional resources required.		

ADMINISTRATIVE SERVICES STATE BUDGET DIVISION: REVIEW OF AGENCY & POLT. SUB. RESPONSE		
LB: 478	AM:	AGENCY/POLT. SUB: Nebraska Department of Health and Human Services (025)
REVIEWED BY: Joe Wilcox	DATE: 03/10/2023	PHONE: (402) 471-4178
COMMENTS: No basis to disagree with the Nebraska Department of Health and Human Services (DHHS) estimate of Potential Fiscal Impact to Agency from LB 478.		

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

2023

LB⁽¹⁾ 478

FISCAL NOTE

State Agency OR Political Subdivision Name: ⁽²⁾ Education

Prepared by: ⁽³⁾ Lane Carr Date Prepared: ⁽⁴⁾ 1.23.23 Phone: ⁽⁵⁾ 4024193012

ESTIMATE PROVIDED BY STATE AGENCY OR POLITICAL SUBDIVISION

	<u>FY 2023-24</u>		<u>FY 2024-25</u>	
	<u>EXPENDITURES</u>	<u>REVENUE</u>	<u>EXPENDITURES</u>	<u>REVENUE</u>
GENERAL FUNDS	\$1,342,077		\$1,376,528	
CASH FUNDS				
FEDERAL FUNDS				
OTHER FUNDS				
TOTAL FUNDS	<u>\$1,342,077</u>	<u>0</u>	<u>\$1,376,528</u>	<u>0</u>

Explanation of Estimate:

LB478 would transfer educational responsibilities of incarcerated youth from the Nebraska Department of Health and Human Services to the Nebraska Department of Education. The NDE does not know of the current funding provided by the Legislature and used by DHHS for education which the bill transfers to NDE.

The bill would require the NDE to create a new division, which would require the following positions:

- Superintendent of Schools - (Senior Administrator)
- Directors of Special Education & Teaching and Learning (Administrators)
- Director of Systems Involved Youth (Program Specialist IV)
- Administrative Assistant (Office Associate I – Executive)
- Education Specialists (Program Specialist III)
 - Detention Facility Specialist (2)
 - YRTC Specialist (2)

These specialists would oversee the transfer in and out of these students and ensure proper records are received prior to transferring in. The YRTC Specialist would participate in 60-day Re-Entry court hearings and prepare and/or sign off on the education court reports. Each specialist would work closely with Probation and DHHS to provide potential discharge dates for students and assist with best interest determinations.

In addition to operating expenses and travel for these individuals, \$150,000 would be needed each year for materials and supplies, professional learning, and contracted services. The NDE would also want to ensure each facility continues to maintain individual principals, though it's unclear how or if funding currently allocated would transfer directly to the NDE, or if those individuals should be accounted for in this fiscal analysis.

BREAKDOWN BY MAJOR OBJECTS OF EXPENDITURE

Personal Services:

<u>POSITION TITLE</u>	<u>NUMBER OF POSITIONS</u>		<u>2023-24</u>	<u>2024-25</u>
	<u>23-24</u>	<u>24-25</u>	<u>EXPENDITURES</u>	<u>EXPENDITURES</u>
Senior Administrator	1	1	\$102,062	\$107,165
Administrators	2	2	\$173,475	\$182,149
Program Specialist IV	1	1	\$75,899	\$79,694
Office Associate I (Executive)	1	1	\$55,335	\$58,102
Program Specialist III	4	4	\$273,239	\$286,901
Benefits.....			\$374,220	\$392,931
Operating.....			\$89,441	\$69,728
Travel.....			\$48,406	\$49,858

Capital outlay.....	<u> </u>	<u> </u>
Aid.....	<u> \$150,000 </u>	<u> \$150,000 </u>
Capital improvements.....	<u> </u>	<u> </u>
TOTAL.....	<u> \$1,342,077 </u>	<u> \$1,376,528 </u>

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2023

LB⁽¹⁾ 478

FISCAL NOTE

State Agency OR Political Subdivision Name: ⁽²⁾ Nebraska Department of Correctional Services

Prepared by: ⁽³⁾ Lisa Stanton Date Prepared: ⁽⁴⁾ 01/20/2023 Phone: ⁽⁵⁾ (402)479-5702

ESTIMATE PROVIDED BY STATE AGENCY OR POLITICAL SUBDIVISION

	<u>FY 2023-24</u>		<u>FY 2024-25</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:

NDCS estimates no fiscal impact as a result of LB 478.

BREAKDOWN BY MAJOR OBJECTS OF EXPENDITURE

Personal Services:

<u>POSITION TITLE</u>	<u>NUMBER OF POSITIONS</u>		<u>2023-24</u>	<u>2024-25</u>
	<u>23-24</u>	<u>24-25</u>	<u>EXPENDITURES</u>	<u>EXPENDITURES</u>
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
Benefits.....	_____	_____	_____	_____
Operating.....	_____	_____	_____	_____
Travel.....	_____	_____	_____	_____
Capital outlay.....	_____	_____	_____	_____
Aid.....	_____	_____	_____	_____
Capital improvements.....	_____	_____	_____	_____
TOTAL.....	_____	_____	_____	_____

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 Prepared 3-9-2023

Phone: (5) 471-6719

	<u>FY 2023-2024</u>		<u>FY 2024-2025</u>	
	EXPENDITURES	REVENUE	EXPENDITURES	REVENUE
GENERAL FUNDS	\$0	\$0	-\$190,997	\$0
CASH FUNDS	\$0	\$0	\$0	\$0
FEDERAL FUNDS	\$0	\$0	\$0	\$0
OTHER FUNDS	\$0	\$0	\$0	\$0
TOTAL FUNDS	\$0	\$0	-\$190,997	\$0

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

Explanation of Estimate:

LB 478 transfers the youth education programs currently under the supervision of the Department of Health and Human Services to the Nebraska Department of Education. Implementing this bill would eliminate the position of school superintendent and the costs of any educational materials. The Youth Rehabilitation and Treatment Centers and White Hall spent \$57,040 on educational supplies (OC534600) during Fiscal Year 2021-2022. These costs would be transferred to the Department of Education.

MAJOR OBJECTS OF EXPENDITURE

PERSONAL SERVICES:

POSITION TITLE	NUMBER OF POSITIONS		2023-2024 EXPENDITURES	2024-2025 EXPENDITURES
	23-24	24-25		
School Superintendent (G11910)		-1.0	\$0	-\$82,843
			\$0	\$0
			\$0	\$0
			\$0	\$0
			\$0	\$0
Benefits.....			\$0	-\$28,995
Operating.....			\$0	-\$79,159
Travel.....			\$0	\$0
Capital Outlay.....			\$0	\$0
Aid.....			\$0	\$0
Capital Improvements.....			\$0	\$0
TOTAL.....			\$0	-\$190,997

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2023

LB⁽¹⁾ 478

FISCAL NOTE

State Agency OR Political Subdivision Name: ⁽²⁾ 05 Supreme Court

Prepared by: ⁽³⁾ Eric Asboe Date Prepared: ⁽⁴⁾ 3/8/2023 Phone: ⁽⁵⁾ 402-326-9215

ESTIMATE PROVIDED BY STATE AGENCY OR POLITICAL SUBDIVISION

	<u>FY 2023-24</u>		<u>FY 2024-25</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:

Minimal fiscal impact to provide the notice required in Section 1. No additional resources required.

BREAKDOWN BY MAJOR OBJECTS OF EXPENDITURE

Personal Services:

<u>POSITION TITLE</u>	<u>NUMBER OF POSITIONS</u>		<u>2023-24</u>	<u>2024-25</u>
	<u>23-24</u>	<u>24-25</u>	<u>EXPENDITURES</u>	<u>EXPENDITURES</u>
Benefits.....	_____	_____	_____	_____
Operating.....	_____	_____	_____	_____
Travel.....	_____	_____	_____	_____
Capital outlay.....	_____	_____	_____	_____
Aid.....	_____	_____	_____	_____
Capital improvements.....	_____	_____	_____	_____
TOTAL.....	_____	_____	_____	_____