PREPARED BY: DATE PREPARED: PHONE: Eric Kasik February 10, 2025 402-471-0063

LB 472

Revision: 00

FISCAL NOTE

LEGISLATIVE FISCAL ANALYST ESTIMATE

ESTIMATE OF FISCAL IMPACT - STATE AGENCIES (See narrative for political subdivision estimates)							
	FY 2025-26 FY 2026-27						
	EXPENDITURES	REVENUE	EXPENDITURES	REVENUE			
GENERAL FUNDS	See Below		See Below				
CASH FUNDS	See Below		See Below				
FEDERAL FUNDS							
OTHER FUNDS							
TOTAL FUNDS	See Below		See Below				

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

LB 472 amends statute by enacting the Regulatory Management Act and establishing the Office of Regulatory Management. This office is supervised by a director appointed by the Governor. The director is authorized to hire staff required to fulfil the expectation of the Act.

The office shall establish a baseline catalog of regulatory requirements currently in effect in all state agencies, boards or commissions. This catalog requires cooperation and communication from all state entities. They shall complete an internal review of regulatory requirements. The review must contain the statutory authority or requirement and other relevant documentation related to the regulation. The initial review must be completed no later than 6 months after the affective date of the act. Subsequent reviews should be completed every 2 years or within 60 days of a request from the Office of Regulatory management. These reviews must contain estimates of monetized and nonmonetized costs or benefits if they are feasible.

The office shall publish a biennial report showing the change in number and estimated impact of the regulatory requirement by agency, along with a cost estimate for the median citizen.

The office must analyze each new regulatory requirement enacted by each agency to ensure best practices. These best practices are outlined within the act. It also outlines a process to follow when it is determined the regulation was not established using best practices.

This legislation will have a fiscal impact. Modeling the Office of Regulatory Management off of similar size offices with a director and two additional staff, it is estimated the cost of such an office would be approximately \$290,000 of general funds annually for personal and operations.

In addition, some agencies do not believe they will be able to absorb the cost of completing the internal review with current appropriation.

- The Department of Health and Human Services estimates the need to hire 4.0 FTEs and increased General Funding of \$341,562 in FY 2025-26 and \$478,187 in FY 2026-27.
- The Department of Banking and Finance estimates the need for 2.0 additional FTEs with an increase Cash appropriation of \$230,131 in FY 2025-26 and 233,585 in FY2026-27.
- The Department of Administrative Services (DAS) indicates the need for additional Revolving Fund appropriation to accommodate the additional staff required for the agencies. \$165,555 in FY2025-26 and \$85,555 in FY2026-27. DAS also estimated increased costs for the Department of Environment and Energy and the Department of Revenue.
- The Secretary of State believes temporary staffing would complete the review and would only need \$50,000 of Cash appropriation in the first fiscal year.

Other agencies believe they could absorb the costs with current appropriation.

The exact fiscal impact of the legislation is unknown at this time. This legislation will impact each state agency differently; if additional information is received, this fiscal note will be updated.

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

LB: 472 AM: AGENCY/POLT. SUB: Secretary of State

REVIEWED BY: Jacob Leaver DATE: 2/5/2025 PHONE: (402) 471-4173

COMMENTS: Concur with the Secretary of State's estimated fiscal impact as a result of LB 472.

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

LB: 669 AM: AGENCY/POLT. SUB: Department of Health and Human Services

REVIEWED BY: Jacob Leaver DATE: 2/10/2025 PHONE: (402) 471-4173

COMMENTS: Concur with the Department of Health and Human Services' estimated fiscal impact as a result of LB 669.

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

LB: 472 AM: AGENCY/POLT. SUB: Department of Banking and Finance

REVIEWED BY: Jacob Leaver DATE: 2/4/2025 PHONE: (402) 471-4173

COMMENTS: Concur with the Department of Banking and Finance's estimated fiscal impact as a result of LB 472.

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

LB: 472 AM: AGENCY/POLT. SUB: Nebraska Board of Engineers and Architects

REVIEWED BY: Jacob Leaver DATE: 1/31/2025 PHONE: (402) 471-4173

COMMENTS: Concur with the Nebraska Board of Engineers and Architects' estimate of no fiscal impact as a result of LB 472.

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

LB: 472 AM: AGENCY/POLT. SUB: Nebraska Real Estate Commission

REVIEWED BY: Gary Bush DATE: 01/27/2025 PHONE: (402) 471-4161

COMMENTS: Agree with the agency estimate of No Fiscal Impact.

LB ⁽¹⁾ 472				FISCAL NOTE
State Agency OR Political S	Subdivision Name: (2)	Department of Adr	ministrative Services (DAS	S) – ENTERPRISE
Prepared by: (3) Ann M	lartinez	Date Prepared: (4)	01/27/2025 Phone: (5)	402-471-4135
	ESTIMATE PROVI	DED BY STATE AGEN	ICY OR POLITICAL SUBDIVI	SION
	FY 9	2025-26	FY 202	6-27
	EXPENDITURES	REVENUE	EXPENDITURES	REVENUE
GENERAL FUNDS	\$812,872		\$699,493	
CASH FUNDS	\$230,131		\$233,585	
FEDERAL FUNDS				
REVOLVING FUNDS	\$165,555	\$165,555	\$85,555	\$85,555
TOTAL FUNDS	\$1,208,558	\$165,555	\$1,018,633	\$85,555

Explanation of Estimate:

LB 472 establishes the Office of Regulatory Management (an agency), which is under the direct control and supervision of the Director of Regulatory Management who is appointed by the Governor.

LB 472 includes provisions for appropriate staff to carry out the duties and programs assigned to the office. The operative date is three months after adjournment of the Legislature. The below information highlights impact by agency, followed by a chart of impact for PSL.

Dept. of Administrative Services:

Any additional office space would require DAS State Building Division (SBD) to manage such requests and would request additional revolving fund spending authority to provide space to accommodate any potential changes and/or expansions. The current rent estimate per person is between \$4,800 to \$5,400. There would also be a one-time cost for furniture, fixtures, and equipment (FFE) of about \$8,000 per person.

This could also incur one-time and on-going services from the DAS Office of the Chief Information Officer (OCIO). The space(s) may require one-time network setup costs estimated at \$815 plus monthly services for additional phone, computer lease, and other technology services estimated at \$254 per month. DAS-OCIO would request additional revolving fund spending authority to provide these one-time and on-going services.

DAS-SBD and OCIO would request an increase in revolving fund appropriate that is sufficient to cover the additional operational costs because of LB 472. Annually, low estimates per employee would be \$15,848 and high estimates would be \$17,263. Should the newly established Office require ten employees, DAS averaged the high and low estimates to determine approximate annual revolving fund appropriation requests combined for SBD and OCIO to be \$165,555 the first year (includes the one-time costs), and \$85,555 in the following years.

The Office of Regulatory Management would be billed for the services provided.

Dept. of Agriculture:

LB472 requires the Department of Agriculture conduct and communicate an internal review of all regulatory requirements. Section 2 (6) defines a regulatory requirement as "any action or step that must be taken or piece of information that must be provided in accordance with legislation, regulation, guidance, policy or forms" excluding internal management within the agency. The initial review must be completed and communicated to the Office of Regulatory Management no later than six months after the effective date of the act. Over 85% of the Department's budget covers responsibilities as a regulatory agency with numerous statutes that have indeterminable actions and steps. It is unfeasible for the Department to reach the initial deadline without additional employee time. The shear scope of the bill and knowledge needed to ascertain the information requested will make it difficult, if not

impossible, to fill a temporary position needed to complete the requirement by the stringent deadline. Any additional assistance procured would be included in a mid-biennium request as fiscal impact is unknown at this time.

Dept. of Banking & Finance:

State agencies, including the Nebraska Department of Banking and Finance (NDBF), would be required to complete an internal review of all regulatory requirements currently in effect within 6 months of the effective date of the Act; updates will also be required at the ORM's request or every two years. The review is to include each NDBF regulatory requirement, its governing regulation, statutory authority or requirement, and other relevant information. The analysis requires monetized estimates of nonmonetized costs or benefits when such an estimate is feasible, and quantitative estimates of nonmonetized effects when such an estimate is not feasible. If neither is feasible, agencies shall provide qualitative descriptions of nonmonetized costs and benefits. In addition, agencies are to provide ORM with evaluations, reports, needs assessments, or other due diligence upon request.

The Department is unable to meet these requirements with existing resources. To accomplish these duties, the Department estimates the need for an additional Attorney III and an Accountant III.

Dept. of Environment & Energy:

To fulfill the requirements of LB 472, NDEE would hire one Attorney III and provide for \$250,000 of contractual costs for the cost to benefit ratio of the regulations, requiring a contracted economist. NDEE believe this portion would need to be contracted out as that skillset is not within the agency.

Dept. of Health & Human Services:

The Department of Health and Human Services (DHHS) would need an additional FTE across the Divisions to assist with the Regulatory requirements. There are approximately 348 chapters of regulations across DHHS, which would require possibly hundreds of new and current staff hours to review the thousands of pages within those chapters.

Dept. of Revenue:

The Department of Revenue will need to hire a Revenue Economist to implement LB 472.

Dept. of Transportation:

If enacted, NDOT may incur expense up to \$50,000 which can be covered with the existing appropriation.

Personal Services					
		Number of Positions		Expenditures	
Agency	Position Title	FY25- 26	FY26- 27	FY25-26	FY26-27
Dept. of Agriculture	TBD	TBD	TBD	TBD	TBD
Dept. of Banking & Finance	Attorney III	1.0	1.0	\$76,856	\$78,777
	Accountant III	1.0	1.0	\$61,321	\$62,854
Benefits				\$84,168	\$84,168
Operating				\$7,786	\$7,786
TOTAL (Cash Funds)				\$230,131	\$233,585
Dept. of Environment & Energy	Attorney III	1.0	1.0	\$75,400	\$79,170

Benefits				\$23,940	\$25,136
Operating				\$279,082	\$30,116
TOTAL (General Funds)				\$378,422	\$134,422
Dept. of Health & Human Services	V73210 - DHHS Program	0.75	1.0	\$38,950	\$54,530
	Specialist				
	N00700 - Health Economist	0.75	1.0	\$74,880	\$104,832
	G78791 - DHHS Program Manager I	1.50	2.0	\$90,901	\$127,262
Benefits	iviariager i			\$71,656	\$100,318
Operating				\$54,663	\$76,529
TOTAL (General Funds)				\$331,050	\$463,471
Dept. of Revenue	A29511 Revenue Economist	1.0	1.0	\$74,000	\$76,400
Benefits				\$24,400	\$25,200
Capital Outlay				\$5,000	
TOTAL (General Funds)				\$103,400	\$101,600
TOTAL General Funds				\$812,872	\$699,493
TOTAL Cash Funds				\$230,131	\$233,585
TOTALS				\$1,043,003	\$933,078

LB ⁽¹⁾ 472				FISCAL NOTE			
State Agency OR Po	olitical Subdivision Name: (2)	Nebraska Department of Banking and Finance					
Prepared by: (3)	Shauna Paolini	Date Prepared: (4)	01-29-2025 Phone	e: (5) <u>402-471-4954</u>			
	ESTIMATE PROVI	DED BY STATE AGEN	ICY OR POLITICAL SUBD	IVISION			
	FY 9	2025-2 <u>6</u>	FY 2	026-27			
	EXPENDITURES	<u>REVENUE</u>	EXPENDITURES	<u>REVENUE</u>			
GENERAL FUND	s		<u> </u>				
CASH FUNDS	230,131		233,585				
FEDERAL FUND	s		<u> </u>				
OTHER FUNDS							
TOTAL FUNDS	230,131		233,585				

Explanation of Estimate:

LB 472 would adopt the Regulatory Management Act (Act). It would establish a new agency, the Office of Regulatory Management (ORM). State agencies, including the Nebraska Department of Banking and Finance (NDBF), would be required to complete an internal review of all regulatory requirements currently in effect within 6 months of the effective date of the Act; updates will also be required at the ORM's request or every two years. The review is to include each NDBF regulatory requirement, its governing regulation, statutory authority or requirement, and other relevant information. The analysis requires monetized estimates of nonmonetized costs or benefits when such an estimate is feasible, and quantitative estimates of nonmonetized effects when such an estimate is not feasible. If neither is feasible, agencies shall provide qualitative descriptions of nonmonetized costs and benefits. In addition, agencies are to provide ORM with evaluations, reports, needs assessments, or other due diligence upon request.

The Department is unable to meet these requirements with existing resources. To accomplish these duties, the Department estimates the need for an additional Attorney III and an Accountant III.

BREA	KDOWN BY MA.	OR OBJECTS O	F EXPENDITURE	
Personal Services:			<u> </u>	
	NUMBER OI	F POSITIONS	2025-26	2026-27
POSITION TITLE	<u>25-26</u>	<u>26-27</u>	EXPENDITURES	EXPENDITURES
Attorney III	1	1	76,856	78,777
Accountant III	11	1	61,321	62,854
Benefits			84,168	84,168
Operating			7,786	7,786
Travel				
Capital outlay				
Aid				
Capital improvements				
TOTAL			230,131	233,585

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 2-10-25 Phone: (5) 471-6719 FY 2026-2027 FY 2025-2026 **EXPENDITURES REVENUE EXPENDITURES REVENUE GENERAL FUNDS** \$341,562 \$478,187 **CASH FUNDS FEDERAL FUNDS OTHER FUNDS TOTAL FUNDS** \$341,562 \$0 \$478,187 \$0

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

Explanation of Estimate:

LB472 establishes the Office of Regulatory Management, which reports directly to the Governor. This office will serve as an Agency whose services are primarily for the support and regulation of other State Agencies in carrying out their regulatory functions. Each Agency will be required to conduct and communicate to the office an internal review of all regulatory requirements currently in effect and update such reviews every two years.

The Department of Health and Human Services (DHHS) would need an additional FTE across the Divisions to assist with the Regulatory requirements. There are approximately 348 chapters of regulations across DHHS, which would require possibly hundreds of new and current staff hours to review the thousands of pages within those chapters. In order to produce a quality analysis of the cost-benefit of any regulation, it is recommended that DHHS employ a health economist.

MAJOR	OBJECTS OF EXPEND	ITURE		
PERSONAL SERVICES:				
		FPOSITIONS	2025-2026	2026-2027
POSITION TITLE	26-26	26-27	EXPENDITURES	EXPENDITURES
N00700 - Health Economist	0.75	1.0	\$74,880	\$104,832
G78791 - DHHS Program Manager I	1.50	3.0	\$136,352	\$190,893
Benefits			\$73,931	\$103,504
Operating			\$56,399	\$78,958
Travel				
Capital Outlay				
Aid				
Capital Improvements				
TOTAL			\$341,562	\$478,187
			<u> </u>	<u> </u>

LB ⁽¹⁾ 472			FISCAL NOTE
State Agency OR Political Subdivision Name: (2	Nebraska Board	of Engineers and Ar	chitects
Prepared by: (3) Jon Wilbeck	Date Prepared: (4)		hone: (5) 402-471-2021
ESTIMATE PROV	IDED BY STATE AGE	NCY OR POLITICAL SU	IRDIVISION
	Y 2025-26	TOTAL OF THE SE	FY 2026-27
<u>EXPENDITURE</u>		EXPENDITUR	·
GENERAL FUNDS		<u> </u>	
CASH FUNDS		<u> </u>	<u> </u>
FEDERAL FUNDS		<u> </u>	<u> </u>
OTHER FUNDS		<u> </u>	<u> </u>
TOTAL FUNDS			
Explanation of Estimate:			
involve outside consultants with specialionly the statutory authority and summar		ich would have no fisc	
Personal Services:	THE THREE CHOCK COULT	IO OT EMIENDITURE	
	NUMBER OF POSITIO <u>25-26</u> <u>26-27</u>		2026-27 ES EXPENDITURES
Benefits			
Operating			
Travel			
Capital outlay			
Aid			
Capital improvements			
TOTAL			<u> </u>

LB ⁽¹⁾ 472					FISCAL NOTE
State Agency OR Political Subdivision Nam	ne: (2) Sec	retary of State			
Prepared by: (3) Joan Arnold	D	ate Prepared: (4)	1-29-2025	Phone: (5)	402-471-2384
ESTIMATE P	ROVIDED F	BY STATE AGEN	NCY OR POLITIC	AL SUBDIVIS	ION
	FY 2025-9	26		FY 2026	-27
EXPENDITU		<u>REVENUE</u>	EXPENDI'		REVENUE
GENERAL FUNDS					
CASH FUNDS \$50,000)		_		
FEDERAL FUNDS					
OTHER FUNDS					
TOTAL FUNDS \$50,000	<u> </u>				
	 :				
Explanation of Estimate:					
BREAK Personal Services:	DOWN BY	MAJOR OBJECT	TS OF EXPENDIT	<u>cure</u>	
Personal Services:	NUMBEI	R OF POSITION	S 2025-	26	2026-27
POSITION TITLE	<u>25-26</u>	<u>26-27</u>	<u>EXPENDI</u>	TURES	EXPENDITURES
Benefits	_		_		
Operating			\$50,0	00	
Travel					
Capital outlay					
Aid					
Capital improvements					
TOTAL			\$50.0	00	

LB ⁽¹⁾ 472			FISCAL NOTE			
State Agency OR Political Subdivision Name: (2	Nebraska Real Est	Nebraska Real Estate Commission				
Prepared by: (3) Joseph D. Gehrki	Date Prepared: (4)	01/15/2025 Phon	e: (5) 402-471-2004			
ESTIMATE PRO	VIDED BY STATE AGEN	ICY OR POLITICAL SUBD	DIVISION			
F	Y 2025-2 <u>6</u>	FY	2026-27			
<u>EXPENDITURE</u>		<u>EXPENDITURES</u>	REVENUE			
GENERAL FUNDS						
CASH FUNDS 0	<u> </u>	0				
FEDERAL FUNDS						
OTHER FUNDS						
TOTAL FUNDS						
Explanation of Estimate:						
Explanation of Estimate:						
	WN BY MAJOR OBJECT	S OF EXPENDITURE	-			
Personal Services: POSITION TITLE	NUMBER OF POSITIONS 25-26 26-27	S 2025-26 EXPENDITURES	2026-27 EXPENDITURES			
D C.		<u> </u>				
Benefits						
Operating Travel						
Capital outlay						
Aid						
Capital improvements						
TOTAL						