

Updated to reflect amendments adopted through January 17, 2008.

FISCAL NOTE
LEGISLATIVE FISCAL ANALYST ESTIMATE

ESTIMATE OF FISCAL IMPACT – STATE AGENCIES *				
	FY 2008-09		FY 2009-10	
	EXPENDITURES	REVENUE	EXPENDITURES	REVENUE
GENERAL FUNDS	186,738		186,738	
CASH FUNDS				
FEDERAL FUNDS				
OTHER FUNDS				
TOTAL FUNDS	186,738		186,738	

*Does not include any impact on political subdivisions. See narrative for political subdivision estimates.

This bill, as amended, will grant the Ombudsman/Public Counsel authority with respect to county or municipal jails, the state's veteran's and mental health facilities, or by any community based provider that contracts to provide services for any individual that was a patient of a state owned and operated Regional Center within the prior twelve months.

The following table shows the estimated fiscal impact to the Ombudsman's office:

ITEMS	FY2008-09	FY2009-10	FY2008-09	FY2009-10
	Number of Positions		Expenditures	
Deputy Public Counsel	1.00	1.00	54,714	54,714
Assistant Public Counsel I	2.00	2.00	78,024	78,024
Benefits			51,000	51,000
Travel			3,000	3,000
TOTAL	3.00	3.00	186,738	186,738

The following information is an explanation of the estimated fiscal impact on the Ombudsman's office:

The Ombudsman's jurisdiction would be extended to include jails. Nebraska currently has over 70 active jail facilities (county and municipal). It is estimated that they could receive as many as 500 additional cases annually. The experience from handling complaints from the State's correctional facilities means that each staff person working on corrections cases handles roughly 260 cases per year. Therefore, the office would need two additional Assistant Public Counsel Positions to absorb the estimated additional workload.

The committee amendment to LB 467 would incorporate the provisions of LB 107 into LB 467. LB 107 would create a new position of Deputy Public Counsel for Institutions on the Public Counsel's staff. The intent of this provision would be to add a new, "high profile" position to the Public Counsel's staff, with the idea of having someone on the staff to specialize in working on accountability in the state's veteran's and mental health facilities (including the Beatrice State Developmental Center). This new staff person would work on complaints and issues involving these facilities in the same way that the Public Counsel's other special deputies (Deputy Public Counsel for Corrections and the Deputy Public Counsel for Welfare Services) have worked in their specialized fields for many years.

FA157 (amendment to Committee amendments) broadens the Committee amendment to include any community based provider that contracts to provide services for any individual that was a patient of a state owned and operated Regional Center within the prior twelve months. The Public Counsel's Office does not believe that they will need any additional funding due to this amendment. The amendment may increase their workload over the long term, but the Public Counsel's Office cannot predict at this time that there would be any need for more staff, etc., to respond to this extension of their jurisdiction.

IMPACT ON POLITICAL SUBDIVISIONS: There could be an impact to counties and municipalities due to the expansion of the Ombudsman's jurisdiction to include jails. This fiscal impact is indeterminate at this time. However, the Legislative Fiscal Office analyst (LFO) understands that counties and municipalities have been voluntarily cooperating with the Ombudsman's office. Therefore, any fiscal impact will probably be minimal.