

PREPARED BY: Kathy Tenopir  
 DATE PREPARED: December 29, 2009  
 PHONE: 471-0058

Revision: 01

Updated for the 2010 Session. Includes any amendments adopted to date.

**FISCAL NOTE**  
**LEGISLATIVE FISCAL ANALYST ESTIMATE**

<b>ESTIMATE OF FISCAL IMPACT – STATE AGENCIES *</b>				
	<b>FY 2010-11</b>		<b>FY 2011-12</b>	
	<b>EXPENDITURES</b>	<b>REVENUE</b>	<b>EXPENDITURES</b>	<b>REVENUE</b>
GENERAL FUNDS				
CASH FUNDS				
FEDERAL FUNDS				
OTHER FUNDS				
TOTAL FUNDS				

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

LB267 prohibits state employees providing services to individuals in 24-hour care facilities from being mandated to work overtime. State employees shall not be disciplined for declining to work more than 12 consecutive hours except in unforeseen emergent situations. LB267 also prohibits state employees in such facilities from being required to work 7 straight days without a day off.

The Department of Correctional Services (DCS) indicates that they do negotiate the use of mandatory overtime through the labor contract. DCS's fiscal note response assumes that LB267 would supersede the labor contract. Please see the technical note below. DCS indicates that if mandatory overtime is eliminated there will not be sufficient volunteers for overtime.

The Department of Health and Human Services did not respond to the request for information.

Technical Note: The State Employees Collective Bargaining Act states the following.

81-1371(9) Mandatory topic or topics of bargaining shall mean those subjects of negotiation on which employers must negotiate pursuant to the Industrial Relations Act, including terms and conditions of employment which may otherwise be provided by law for state employees, except when specifically prohibited by law from being subject of bargaining.