

**FISCAL NOTE**  
 LEGISLATIVE FISCAL ANALYST ESTIMATE

ESTIMATE OF FISCAL IMPACT – STATE AGENCIES *				
	FY 2012-13		FY 2013-14	
	EXPENDITURES	REVENUE	EXPENDITURES	REVENUE
GENERAL FUNDS			See Below	
CASH FUNDS			See Below	
FEDERAL FUNDS				
OTHER FUNDS				
TOTAL FUNDS				

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

This bill would change provisions relating to law enforcement certification and continuing education. It is operative on January 1, 2014.

The following table and notes was compiled by the Legislative Fiscal Office (LFO) using information from the Game & Parks response:

ITEM	AMOUNT
No. of Officers (1)	50
Training Days (2)	3
Meal Cost (3)	\$ 6,150
Lodging Cost (4)	\$ 3,850
Cost of Class (5)	\$ 15,000
Total Cost	\$ 25,000
Fund Source Break-out (6)	
General Fund	\$ 3,750
Cash Fund	\$ 21,250
Total	\$ 25,000

TABLE NOTES:

(1) Game & Parks has 59 officers that may fall within the provisions of this bill, but they are estimating that some current training may suffice and not all staff will be required to travel. Current training includes handgun qualification, defensive tactics, first aid and first responder training.

(2) Twenty hours per year of mandatory continuing education is equivalent to 2.5 days. While no specific training will necessarily be scheduled and conducted for 20 consecutive hours, the agency states that for simplicity a conservative estimate will be that at least 3 days will be needed annually to fulfill the requirement. This includes 2 nights lodging.

(3) *Meal Cost* was calculated as follows: Number of officers multiplied by 3 training days multiplied by \$41 per day meal cost. In-state meal guidelines: \$7.00 for breakfast, \$11.00 for lunch and \$23.00 for dinner = \$41 per day.

(4) *Lodging Cost* was calculated as follows: Number of officers divided by 2 for double occupancy multiplied by 2 nights lodging multiplied by \$77 lodging cost. The lodging rate limit is set by DAS based upon Federal guidelines. The current in-state limit is \$70.00 plus tax except for Lincoln and Omaha. The Nebraska Law Enforcement Training Center (NLETC) is located in Grand Island.

(5) *Cost of Class* was calculated as follows: Number of officers multiplied by \$300, which is the estimated annual cost of the classes.

(6) The typical historic proration for the Game & Parks Law Enforcement Division is 15% General Fund and 85% cash fund. Please note that the response from Game & Parks states 70% cash fund but their numbers equate to 85%, which is what this fiscal note uses.

Game & Parks also states that since officers would be presumably traveling for their normal job duties, no additional expenses are included for fuel. The personnel time would be absorbed as part of their normal routine so no additional expense for wages is included.

LFO notes that Game & Parks shows an expenditure impact in both FY12-13 and FY13-14. Since the bill is operative on January 1, 2014, there would be no FY12-13 impact. Because the continuing education requirement is on a calendar year basis, it appears that the FY13-14 cost would only be one-half of the amount estimated by Game & Parks since the bill is operative for only one-half of FY13-14.

The following table was compiled by LFO using information from the Crime Commission's response:

ITEMS	1/2 Fiscal Year			1/2 Fiscal Year		
	FY2012-2013	FY2013-2014	FY2014-2015	FY2012-2013	FY2013-2014	FY2014-2015
	Number of Positions			Expenditures		
Staff Assistant II		0.50	1.00		15,960	31,920
Benefits					8,699	17,397
Operating (1)					50,000	-
		0.50	1.00		74,659	49,317

(1) A one-time cost of \$50,000 to modify their website and create a central registry for continuing legal education requirements.

FY14-15 shows the full-year impact to the Crime Commission from this bill.

The Crime Commission's response follows and it explains the numbers in the above table:

Explanation of Estimate: Under current statutes, the Law Enforcement Training Center tracks annual continuing education for 93 county sheriffs. LB 1046 requires all law enforcement officers to receive 20 hours per year of continuing education. The Training Center is required to create a central registry for these officers and track the hours of training received each year. This adds 4,100 officers that must be verified each year for continuing education.

If an officer fails to complete 20 hours of continuing education in a particular year, his or her certificate shall be suspended unless he or she can show good cause for not completing the training. A process would need to be created that allows the officer to appeal the suspension of the certificate in a hearing before the Police Standards Advisory Council (PSAC). PSAC currently holds hearings and considers revoking about 10 law enforcement certificates each year. If only 1% of the 4,100 officers fail to complete continuing education, that would add 41 hearings each year. There are costs associated with these hearings, including staff time and the costs of the PSAC meetings.

If an officer fails to complete 20 hours of continuing education for two consecutive years, the officer's certificate may be revoked. Again this would involve a hearing before PSAC and additional staff time. This could result in an additional 20 or more hearings each year.

We anticipate one additional staff (Staff Assistant II, hired on 1-1-2014) will be needed to manage the central registry of 4,100 officers. We also anticipate a one-time cost of \$50,000 to modify our website and create a central registry for continuing legal education requirements. Depending on the complexity of the information collected in the central registry, the estimated \$50,000 cost may be lower. With less complexity, the costs will be lower. The fiscal impact would be \$74,659 for the first year and \$49,317 for subsequent years. LB 1046 takes effect on January 1, 2014. LB 1046 specifies that the fiscal impact of the bill shall be paid with cash funds. This increase in cash fund expenditures could possibly cause reductions in other areas of the Training Center's budget if the cash funds cannot accommodate these additional costs.

The University of Nebraska states that their current policies exceed the requirements of the bill and therefore it would have no fiscal impact to them.

DEPARTMENT OF ADMINISTRATIVE SERVICES

REVIEWED BY	Joe Wilcox	1/24/12	PHONE 471-2526
COMMENTS			
GAME AND PARKS COMMISSION – Agency cost assumptions appear reasonable. No disagreement with agency analysis, however, the fiscal note is not the appropriate venue to request an A-bill to cover their estimated costs.			
UNIVERSITY OF NEBRASKA – No basis to dispute agency analysis.			
COMM. ON LAW ENFORCEMENT – The bill becomes operative on January 1, 2014. Consequently, while the Crime Commission might incur the entire \$50,000 for IT costs in F 2014, they would likely only incur the cost of the additional staff for half a year in FY 2014.			

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

**LB<sup>(1)</sup> 1046 FISCAL NOTE**

State Agency OR Political Subdivision Name: <sup>(2)</sup> Nebraska Game and Parks Commission

Prepared by: <sup>(3)</sup> Patrick H. Cole Date Prepared: <sup>(4)</sup> January 23, 2012 Phone: <sup>(5)</sup> (402) 471-5523

ESTIMATE PROVIDED BY STATE AGENCY OR POLITICAL SUBDIVISION

	FY 2012-2013		FY 2013-2014	
	EXPENDITURES	REVENUE	EXPENDITURES	REVENUE
GENERAL FUNDS	\$ 3,750		\$ 3,750	
CASH FUNDS	\$ 21,250		\$ 21,250	
FEDERAL FUNDS				
OTHER FUNDS				
<b>TOTAL FUNDS</b>	<b>\$ 25,000</b>		<b>\$ 25,000</b>	

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

Explanation of Estimate:

The proposed legislation would change some provisions related to law enforcement certification and continuing education for law enforcement officers in the state. The definition of a law enforcement officer implicitly includes a full-time or part-time Game and Parks Commission conservation officer. The Commission currently has some 47 authorized FTE's with the title of Conservation Officer and another 9 that have similar law enforcement responsibilities but also serve in a supervisory role within the agency's Law Enforcement Division. In addition, the agency has three credentialed staff within the Information and Education Division responsible for Boating Law Enforcement. At this time, all of the identified staff have completed a certification program and possess a valid law enforcement officer certificate or diploma.

For purposes of this fiscal note, it will be presumed that all 59 positions will fall under the newly described continuing education requirements. Under the new guidelines, each law enforcement officer is required to attend at least twenty hours of continuing education courses in the areas of criminal justice and law enforcement during each calendar year. Currently staff participates in annual training related to such things as handgun qualification, defensive tactics, first aid and first responder training. The fiscal impact of the 20 hour/year mandatory continuing education will be dependent upon whether or not current training programs fall within acceptable course areas.

MAJOR OBJECTS OF EXPENDITURE

Personal Services:

POSITION TITLE	NUMBER OF POSITIONS		2012-2013	2013-2014
	12-13	13-14	EXPENDITURES	EXPENDITURES
Benefits.....				
Operating.....			15,000	15,000
Travel.....			10,000	10,000
Capital outlay.....				
Aid.....				
Capital improvements.....				
<b>TOTAL.....</b>			<b>25,000</b>	<b>25,000</b>

**LB<sup>(1)</sup> 1046 FISCAL NOTE**

The following assumptions will be used for calculating possible fiscal impacts. Some current training may fulfill a portion of the mandated continuing education. Staff are stationed throughout the state and training will require some travel related expenses such as meals and lodging. Twenty hours is equivalent to 2.5 days, and while no specific training will necessarily be scheduled and conducted for 20 consecutive hours, for simplicity a conservative estimate will be that at least 3 days, to include 2 nights lodging will be needed annually to fulfill the requirement.

*Number of Officers	Days	Cost Meals/Day	Lodging nights (double occupancy)	Cost Lodging/NT	Est Class Costs/YR	TOTAL Costs:meals=(# officers x 3 days x \$41) lodging=(#officers/2 x 2nights x \$77), classes (#officers x 500)
50	3	\$ 41.00	2	\$ 77.00	\$ 300.00	\$ 25,000.00

Sub category \$ 6,150.00 \$ 3,850.00 \$ 15,000.00

\* Since some current training may suffice and/or not all will require travel, a number less than full count is being used (50 vs !

Since the officers would be presumably traveling for their normal job duties, no additional expenses are included for fuel. The personnel time would be absorbed as part of their normal routine so no additional expense for wages is being considered.

An A bill is requested. Due to the diverse array of law enforcement duties, including those that would not be eligible for cash funding, a 15% general fund, 70% cash fund mix is requested (\$3,750 G, \$21,250 C). This is the typical historic proration for Law Enforcement Division funding.

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2012

LB<sup>(1)</sup> 1046 FISCAL NOTE

RECEIVED  
JAN 27 2012  
LEGISLATIVE FISCAL

State Agency OR Political Subdivision Name: <sup>(2)</sup> University of Nebraska

Prepared by: <sup>(3)</sup> Michael Justus Date Prepared: <sup>(4)</sup> January 26, 2012 Phone: <sup>(5)</sup> 402 472 2191

ESTIMATE PROVIDED BY STATE AGENCY OR POLITICAL SUBDIVISION

	FY 2012-2013		FY 2013-2014	
	EXPENDITURES	REVENUE	EXPENDITURES	REVENUE
GENERAL FUNDS	_____	_____	_____	_____
CASH FUNDS	_____	_____	_____	_____
FEDERAL FUNDS	_____	_____	_____	_____
OTHER FUNDS	_____	_____	_____	_____
TOTAL FUNDS	=====	=====	=====	=====

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

The bill changes the continuing education requirement for law enforcement which would affect the officers at the UNL and UNK campuses. Our current policies exceed the requirements of the bill and it would therefore not have any fiscal impact.

MAJOR OBJECTS OF EXPENDITURE

Personal Services:

POSITION TITLE	NUMBER OF POSITIONS		2012-2013 EXPENDITURES	2013-2014 EXPENDITURES
	12-13	13-14		
Benefits.....	_____	_____	_____	_____
Operating.....	_____	_____	_____	_____
Travel.....	_____	_____	_____	_____
Capital outlay.....	_____	_____	_____	_____
Aid.....	_____	_____	_____	_____
Capital improvements.....	_____	_____	_____	_____
TOTAL.....	_____	_____	_____	_____

FEB 15 2012

2012

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

**LB<sup>(1)</sup> 1046 FISCAL NOTE**

LEGISLATIVE FISCAL

State Agency OR Political Subdivision Name: <sup>(2)</sup> NE Commission on Law Enforcement (Crime Commission)

Prepared by: <sup>(3)</sup> Bruce Ayers Date Prepared: <sup>(4)</sup> 2-14-2012 (revised) Phone: <sup>(5)</sup> 471-0359

**ESTIMATE PROVIDED BY STATE AGENCY OR POLITICAL SUBDIVISION**

	FY 2012-2013		FY 2013-2014	
	EXPENDITURES	REVENUE	EXPENDITURES	REVENUE
GENERAL FUNDS	_____	_____	_____	_____
CASH FUNDS	_____	_____	74,659	_____
FEDERAL FUNDS	_____	_____	_____	_____
OTHER FUNDS	_____	_____	_____	_____
<b>TOTAL FUNDS</b>	=====	=====	<b>74,659</b>	=====

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**MAJOR OBJECTS OF EXPENDITURE**

**Personal Services:**

POSITION TITLE	NUMBER OF POSITIONS		2012-2013	2013-2014
	12-13	13-14	EXPENDITURES	EXPENDITURES
Staff Assistant II	_____	1.00	_____	15,960
Benefits.....	_____	_____	_____	8,699
Operating.....	_____	_____	_____	50,000
Travel.....	_____	_____	_____	_____
Capital outlay.....	_____	_____	_____	_____
Aid.....	_____	_____	_____	_____

Capital improvements.....  
TOTAL.....

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
74,659  
\_\_\_\_\_