PREPARED BY: DATE PREPARED: PHONE:

Phil Hovis February 09, 2019 4024710057

I B 130

Revision: 00

FISCAL NO

LEGISLATIVE FISCAL ANALYST ESTIMATE

ESTIMATE OF FISCAL IMPACT – STATE AGENCIES (See narrative for political subdivision estimates)					
	FY 201	9-20	FY 2020-21		
	EXPENDITURES	REVENUE	EXPENDITURES REVENUE		
GENERAL FUNDS					
CASH FUNDS	66,647	114,725	89,695	152,950	
FEDERAL FUNDS					
OTHER FUNDS					
TOTAL FUNDS	66,647	114,725	89,695	152,950	

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

LB130 would incorporate minimum standards/requirements with respect to radon resistant new construction within provisions of the state building code. Under current law, the Department of Health and Human Services issues licenses to radon mitigation specialists and businesses. The Department anticipates that incorporation of minimum standards for radon resistant new construction in the state building code will result in increased demand for the services of licensed radon mitigation/measurement specialists/businesses. As a result, the Department anticipates collection of corresponding increases in licensure fee revenue as well as increased revenue from fees assessed for installation of active radon mitigation systems. Based on assumptions identified in the agency's LB130 fiscal note, the Department estimates the following related increases in Cash Fund revenue from licensure and installation fees:

(9 months)

2019-20 2020-21

Licensure & installation fee revenue increases: 114,725 152,950

The Department of Health and Human Services indicates it currently employs two full-time industrial hygiene specialists to meet workload associated with the agency's asbestos, lead and radon programs. The agency further indicates that increased workload estimated to be incurred with respect to compliance examinations conducted for increased levels of radon mitigation/measurement licensees would necessitate employment of an additional full-time industrial hygiene specialist. Estimates of related costs are:

(9 months)

2019-20 2020-21 Salary & benefits: 49,319 65,758 Operating, travel, other: 17,328 23,937 66,647 89,695

Based on assumptions as applied by the agency, the estimates of the Department of Health and Human Services with respect to Cash Fund revenue and expenditure impacts appear reasonable as they relate to provisions of LB130.

Fiscal note responses from various other state agencies indicate the provisions of LB130 represent either no fiscal impact or no definitive fiscal impact to those responding agencies.

ADMIN	IISTRATIVE SERVICES	S STATE BUDGET DIVISION: REVIE	W OF AGENCY & POLT. SUB. RESPONSE
LB: 130	AM:	AGENCY/POLT. SUB: Depart	ment of Administrative Services
REVIEWED	BY: Neil Sullivan	DATE: 1/23/2019	PHONE: (402) 471-4179
COMMENTS	S: No basis to disagree	with the Department of Administrative	Services estimate of no fiscal impact from LB 130.

ADMINISTRATIVE SER	/ICES STATE BUDGET DIVISION: REVIEW	V OF AGENCY & POLT. SUB. RESPONSE
LB: 130 AM:	AGENCY/POLT. SUB: Nebrasi	ka Department of Correctional Services
REVIEWED BY: Neil Sullivan	DATE: 1/23/2019	PHONE: (402) 471-4179
COMMENTS: No basis to disa from LB 130.	gree with the Nebraska Department of Corre	ectional Services estimate of minimal fiscal impact

ADMIN	ISTRATIVE SERVICES	S STATE BUDGET DIVISION: REVIE	W OF AGENCY & POLT. SUB. RESPONSE
LB: 130	AM:	AGENCY/POLT. SUB: Nebra	aska State College System
REVIEWED E	BY: Neil Sullivan	DATE: 1/24/2019	PHONE: (402) 471-4179
COMMENTS	: No basis to disagree	with the Nebraska State College Syste	m estimate of no fiscal impact from LB 130.

ADMINISTRATIVE SERVIC	ES STATE BUDGET DIVISION: REVIE	W OF AGENCY & POLT. SUB. RESPONSE
LB: 130 AM:	AGENCY/POLT. SUB: State F	Fire Marshal
REVIEWED BY: Neil Sullivan	DATE: 1/17/2019	PHONE: (402) 471-4179
COMMENTS: No basis to disagre	e with the State Fire Marshal estimate o	f no fiscal impact from LB 130.

ADMINISTRATIVE SE	RVICES STATE BUDGET DIVISION: REVI	IEW OF AGENCY & POLT. SUB. RESPONSE
LB: 130 AM:	AGENCY/POLT. SUB: Gam	e and Parks Commission
REVIEWED BY: Neil Sulliva	n DATE: 1/23/2019	PHONE: (402) 471-4179
COMMENTS: No basis to di	sagree with the Game and Parks Commission	on estimate of no fiscal impact from LB 130.

ADMIN	NISTRATIVE SERVICES	S STATE BUDGET DIVISION: REVIE	W OF AGENCY & POLT. SUB. RESPONSE
LB: 130	AM:	AGENCY/POLT. SUB: Nebras	ska Department of Labor
REVIEWED	BY: Neil Sullivan	DATE: 1/23/2019	PHONE: (402) 471-4179
COMMENTS	S: No basis to disagree	with the Nebraska Department of Labo	or estimate of no fiscal impact from LB 130.

ADMINISTRATIVE SEF	VICES STATE BUDGET DIVISION: REV	VIEW OF AGENCY & POLT. SUB. RESPONSE
LB: 130 AM:	AGENCY/POLT. SUB: Neb	oraska Department of Transportation
REVIEWED BY: Neil Sullivar	DATE: 2/7/2019	PHONE: (402) 471-4179
COMMENTS: No basis to dis LB 130.	agree with the Nebraska Department of T	ransportation estimate of no fiscal impact from

ADMIN	IISTRATIVE SERVICES	S STATE BUDGET DIVISION: REVIE	W OF AGENCY & POLT. SUB. RESPONSE
LB: 130	AM:	AGENCY/POLT. SUB: Univer	sity of Nebraska
REVIEWED	BY: Neil Sullivan	DATE: 1/23/2019	PHONE: (402) 471-4179
COMMENTS	: No basis to disagree	with the University of Nebraska estima	ate of no fiscal impact from LB 130.

State Agency or Political Sub	division Name:(2) Departr	nent of Health and Human	Services	
Prepared by: (3) Mike Michalski	Date Prepar	ed 1-16-19	Pho	ne: (5) 471-6719
	FY 2019-2	020	FY 2020-2021	
	EXPENDITURES	REVENUE	EXPENDITURES	REVENUE
GENERAL FUNDS				
CASH FUNDS	\$66,647	\$114,725	\$89,696	\$152,950
FEDERAL FUNDS	· · ·		· · ·	· , , , , , , , , , , , , , , , , , , ,
OTHER FUNDS				
TOTAL FUNDS	\$66,647	\$114,725	\$89,696	\$152,950

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

Explanation of Estimate:

Current rules and regulations do not mandate radon resistant new construction but require that any activity related to radon mitigation or testing be performed by a licensed specialist. This includes an existing passive system (using vent pipes and natural air movements to direct radon gas away from structure) being converted to an active system (using mechanically driven systems to force radon gas away from structure). All licensed radon specialists are inspected annually for compliance with rules and regulations. Compliance inspections consist of business record inspections, technical audits, complaint investigations, random installation inspections, and confirmation of measurements records for each licensed individual. For each active mitigation system installed in Nebraska, a \$50.00 fee is required to be submitted to the Nebraska Department of Health and Human Services (DHHS). The state building codes are the minimum standards that must be followed for all construction in Nebraska. The building codes are enforced by the local authority having jurisdiction.

LB 130 adds minimum standards for radon resistant new construction into the current state building codes. This requires all new construction to provide at a minimum, a functional passive system with structural components installed to prepare the system for a later conversion to an active system. Also, a building contractor or subcontractor is allowed to convert a passive system to an active system, but must employ a licensed radon mitigation specialist for post-installation testing. Any structure that is designed by a registered engineer or architect is exempt from having to provide radon resistance new construction.

Expenditure estimate and revenue estimate is based upon an increase in the number of licenses issued for radon mitigation activity for nine (9) months of FY2019-2020 and twelve (12) months for FY2020-2021.

		FY19-20	FY20-21
License Type	Currently Active	Estimate	Estimate
Licensed Radon Mitigation Specialists	102	18	25
Licensed Radon Measurement Specialists	257	18	25
Licensed Radon Mitigation Businesses	58	3	4
Licensed Radon Measurement Businesses	123	1	1
Totals	540	40	55

Estimate is based upon an increase in the number of required compliance inspections for each licensed individual by thirty-six (36) the first year and fifty (50) the second year. Currently, there are two (2) Health Industrial Hygiene Specialists who share the workload required of the Asbestos, Lead and Radon programs across the state. Any significant increase in the workload would require an additional full time Industrial Hygiene Specialist.

Estimate includes an approximate amount of travel costs required to conduct inspections across the state for six (6) months of FY2019-20 and twelve (12) months thereafter. Approximately three (3) months of training has been allowed for new personnel. As there is no emergency clause, the Department estimates nine months of staffing associated with LB 130 in FY2019-20.

Revenue estimate includes revenue from licensing activities as well as active mitigation system installation fees. Estimate is based on the number of active mitigation system installation fees received in calendar year 2018 of approximately 5,308. This count includes active systems installed in existing homes as well as new homes. The Department estimates that sixty-five (65%) of FY2018 fee submissions were associated with active radon mitigation systems installed in new home construction. This represents approximately 38% of new home construction. Several construction industry representatives indicated during Radon Resistant New Construction (RRNC) Task Force meetings in early 2018 that they would likely install active mitigation systems should a passive system requirement be enacted. DHHS estimates approximately 70% of new home construction would include an active mitigation system as a result of LB 130. Revenue estimates are prorated for FY2020 to represent the operative date of LB 130.

CALCULATION OF ADDITIONAL ACTIVE RADON MITIGATION SYSTEMS INSTALLED PER YEAR

Number of Active Radon System Permits 2018 Estimated % installed in new homes	5,308	65%
Estimated number installed in new homes 2018	3,450	
Avg Number of Residential Building Permits*	9,000	
Estimated share of new home construction with active radon mitigation systems	38%	
Estimated share of new home construction with active radon mitigation systems post-LB 130 @70%	6,300	
Less current share of new construction with active mitigation Total estimated number of additional active radon mitigation system installations	3,450 2,850	
	2,000	
Active Radon Mitigation Fee Total Estimated Additional Revenue from Fees	\$14	\$50 2,500

^{*}Per US Census Bureau statistics for Nebraska Residential Building Permits

ESTIMATE OF TOTAL REVENUE PER FISCAL YEAR

License Type	No. of Licenses	Biennial Fee	Total	FY19-20	FY20-21
Individual Radon Specialist Licenses Added	50	92.00	4,600.00	3,450.00	4,600.00
per Year FY19-20 estimate 75% Issued					
Radon Mitigation / Measurement Business	5	250.00	1,250.00	500.00	625.00
per Biennium FY19-20 estimate 80% Issued					
Subtotal Licensing Fee Revenue			5,850.00	3,900.00	5,225.00
Total Estimated Revenue from Active System Fees			l	106,875.00	142,500.00
	Total Revenue			114,725.00	152,950.00

^{*}New business licenses can range from \$100 - \$400. \$250 is used for calculation purposes.

IVIZA	JOR OBJECTS OF EXPENDE	TURE		
PERSONAL SERVICES:				
		F POSITIONS	2019-2020	2020-2021
POSITION TITLE	19-20	20-21	EXPENDITURES	EXPENDITURES
X62490 Health Industrial Hygiene Specialist	0.75	1	\$36,747	\$48,996
Benefits			\$12,572	\$16,762
Operating			\$16,078	\$21,437
			\$1,250	
			Φ1,230	\$2,500
			\$1,230	\$2,500
Capital Outlay		_	\$1,250	\$2,500
Travel		_	\$1,250	\$2,500

LB ⁽¹⁾ 130						FISCAL NOTE		
State Agency OR Political Subdivision	Department of Administrative Services (DAS) – State Building Division (SBD)							
Prepared by: (3) Byron J. Broga	n	Date F	Prepared: (4)	January 16, 2019) Phone: (5)	402.471.8351		
ESTIMA	TE PROVI	DED BY S	<u> FATE AGEN</u>	ICY OR POLITIC	AL SUBDIVIS	SION		
FY 2019-20 FY 2020-21								
EXPEN	DITURES		<u>EVENUE</u>	EXPENDIT		REVENUE		
GENERAL FUNDS	-0-		-0-	-0-		-0-		
CASH FUNDS								
FEDERAL FUNDS								
OTHER FUNDS								
TOTAL FUNDS	-0-		-0-	-0-		-0-		
Explanation of Estimate:								
excludes "additions" on existing start and pursuant to Neb. Rev. Stat. 76-35 construction if the project utilizes designed by a registered engineer. Therefore, this legislation has no to the project utilizes.	605, new (co the design r or archited fiscal impac	ommercial of a regist ct, or would ct.	or industrial) ered engine be excluded	construction is no er or architect. Al	I new constru	ction by DAS - SBD is		
Personal Services:	<u>IEAIDO W</u>	N D1 MAJ	OR OBJECT	SOF EXITENDIT	<u>ORE</u>			
POSITION TITLE		JMBER OF <u>19-20</u>	POSITIONS 20-21	5 2019-9 EXPENDIT	-	2020-21 EXPENDITURES		
Benefits								
Operating								
Travel								
Capital outlay								
Aid								
Capital improvements TOTAL0-								

$LB^{(1)}$	130							FISCAL NOTE			
State Ag	gency OR I	Political	Subdivision Name: (Nebra	Nebraska Department of Correctional Services						
Prepared by: (3) Sara Sump			Dat	e Prepared: (4)	1/18/19	Phone: (5)	402.479.5702				
			ESTIMATE PRO	VIDED BY	STATE AGEN	ICY OR POLIT	ICAL SUBDIVIS	SION			
			<u>EXPENDITURI</u>	<u>Y 2019-20</u> E <u>S</u>	<u>REVENUE</u>	EXPENI	<u>FY 2020</u> DITURES	REVENUE			
GENER	RAL FUN	DS		<u></u>							
CASH F	FUNDS			_							
FEDER	AL FUN	DS		<u> </u>							
	R FUNDS			_							
	L FUNDS		0		0		0	0			
LB 130		e minin / utilize	nal fiscal impact s the design of a	n enginee	er or architect		_	rs and Architects			
Persona	al Service	S:	<u>BREAKDO</u>	WN BY M	AJOR OBJECT	S OF EXPEND	<u>ITURE</u>				
Personal Services: NU POSITION TITLE		NUMBER <u>19-20</u>	OF POSITIONS 20-21	-	9-20 DITURES	2020-21 EXPENDITURES					
Benefits	s				_						
Operati	ng										
Travel.											
Capital	outlay										
Aid											
Capital	improver	nents									
TO	ΓAL					-					

LB ⁽¹⁾ 130			FISCAL NOTE					
State Agency OR Political Subdivision	Nebraska State	Nebraska State College System (NSCS)						
Prepared by: (3) Carolyn Murphy	/ Date Prepared: (9 <u>01/21/2019</u> Phone	e: (5) 402-471-2505					
ESTIMA'	TE PROVIDED BY STATE AG	ENCY OR POLITICAL SUBDI	IVISION					
EXPEN	FY 2019-20 DITURES REVENUE	<u>FY 2</u> <u>EXPENDITURES</u>	2020-21 <u>REVENUE</u>					
GENERAL FUNDS								
CASH FUNDS		<u> </u>						
FEDERAL FUNDS								
OTHER FUNDS								
TOTAL FUNDS	-0-	-0-						
Explanation of Estimate:								
Therefore, the NSCS anticipate	·							
Personal Services:	REAKDOWN BY MAJOR OBJEC	J18 OF EXPENDITURE						
POSITION TITLE	NUMBER OF POSITIO 19-20 20-21		2020-21 EXPENDITURES					
Benefits								
Operating								
Travel								
Capital outlay								
Aid								
Capital improvements								
TOTAL.								

LB ⁽¹⁾ 130						FISCAL NOTE
State Agency OR Poli	tical Subdivision Name: ⁽²⁾	State F	ire Marsha			
Prepared by: (3)	Deb Hostetler	Date l	Prepared: (4)	1/15/2019	Phone: (5)	(402) 471-9479
	ESTIMATE PROV	IDED BY S	TATE AGEN	CY OR POLITIC	CAL SUBDIVIS	ION
	EXPENDITURES	<u>2019-20</u> <u>S</u> <u>F</u>	REVENUE	EXPENDI	<u>FY 2020</u> <u>TURES</u>	REVENUE
GENERAL FUNDS						
CASH FUNDS						
FEDERAL FUNDS						
OTHER FUNDS						
TOTAL FUNDS						
Explanation of Estin	mate:					
No fiscal impact.						
Personal Services:	BREAKDOV	WN BY MA.	OR OBJECT	S OF EXPENDI	<u>rure</u>	
POSITIO		UMBER OF 19-20	F POSITIONS 20-21	S 2019- EXPENDI		2020-21 EXPENDITURES
Benefits		_				
Operating						
Travel						
	nts					
TOTAL						

LB ⁽¹⁾ 130							FISCAL NOTE
State Agency OR I	Political S	ubdivision Name: (2	Gam	e and Parks (Commission		
Prepared by: (3)	Christi	na Peters	Da	te Prepared: ⁽⁴⁾	1/22/2019	Phone:	(5) (402) 471-5523
		ESTIMATE PROV	VIDED BY	Y STATE AGEN	CY OR POLIT	ICAL SUBDIV	VISION
		EXPENDITURE	<u>/ 2019-20</u> <u>S</u>	<u>REVENUE</u>	EXPEND		020-21 <u>REVENUE</u>
GENERAL FUN	DS		_				
CASH FUNDS							
FEDERAL FUN	DS						
OTHER FUNDS	3						
TOTAL FUNDS	}						
code. The requistandards, and A definitive estionable. Over Section 76 The new standard remodeling of emaintenance standard remodeling of identified control of the costs in new standard remodeling of the costs in new standard remodeling of the costs in new standard remodeling of the remodeling of th	the abilification in the abili	s of new construity to convert a partie the fiscal impactoring the new sexists. In the fiscal impactoring the new sexists.	t of this to standard building constructivers/latrin	e detailed, as a adon mitigation bill on the Nebras are expected as constructed bettion of new builties to meet AD	re the exception system to an aska Game and to increase property the Agency, Idings, whether A requirement sign of the structure.	ons to meeting active radon and Parks Coroject costs was and not apper for lodging are current acture. In additional acture.	mitigation system. mmission is not when no exceptions or operational (i.e. tly a minor percentage
		BREAKDO	WN BY N	1AJOR OBJECT	S OF EXPEND	ITURE	
Personal Service POSIT	s: ION TIT		NUMBER <u>19-20</u>	OF POSITIONS 20-21		9-20 DITURES	2020-21 EXPENDITURES
Benefits				_	-		
Operating							
Travel							
Capital outlay							
Aid							
Capital improve	ments						
TOTAL							

LB ⁽¹⁾	130						FISCAL NOTE			
State Ag	gency OR I	Political Subdivision Name: (Nebra	Nebraska Department of Labor						
Prepare	ed by: (3)	Kim Schreiner	Date	e Prepared: (4)	1/16/2019	Phone: (5)	402-471-2492			
		ESTIMATE PRO	VIDED BY	STATE AGEN	NCY OR POLITIC	AL SUBDIVIS	SION			
		F	Y 2019-20			FY 2020)- <i>9</i> .1			
		<u>EXPENDITUR</u>		REVENUE	EXPENDI	_	REVENUE			
GENER	RAL FUN	DS	<u> </u>		_					
CASH I	FUNDS		<u></u>		_					
FEDER	AL FUNI	DS								
ОТНЕН	R FUNDS				-					
	L FUNDS				-					
There	will be no	o fiscal impact on the N	ebraska D	epartment of	Labor.					
Dansans	al Camrias		OWN BY M	AJOR OBJECT	TS OF EXPENDIT	<u>cure</u>				
Tersone	Personal Services: NU POSITION TITLE		NUMBER (19-20	OF POSITION <u>20-21</u>	S 2019- EXPENDI		2020-21 EXPENDITURES			
Benefit	s									
Operati	ing									
Travel.										
Capital	outlay									
Aid										
Capital	improven	nents								
TO	TAI.									

$LB^{(1)}$	130						FISCAL NOTE		
State Ag	gency OR I	Political Subdivision Name: ⁽²⁾	Nebraska Department of Transportation						
Prepare	ed by: (3)	Becky Fleming	Date Pr	epared: (4)	2/4/19	Phone: (5)	402-479-4692		
		ESTIMATE PROV	IDED BY ST	ATE AGEN	NCY OR POLI	TICAL SUBDIVIS	SION		
		FY	2019-20			FY 2020)-2 1		
		EXPENDITURE	S RE	VENUE	EXPEN	NDITURES	REVENUE		
GENEI	RAL FUN	DS							
CASH 1	FUNDS								
FEDER	RAL FUN	DS							
OTHE	R FUNDS				<u>-</u>				
TOTAL	L FUNDS								
standa Transp	rds, provoctation	es provisions relating to the provisions relating to the provide change and eliminate would need to ensure the act is anticipated to the	ion of definit at newly con Departmei	ions and to structed b	o eliminate a uildings and	task force. The equipment meet	Dept. of		
Person	al Service		WN BY MAJO	OR OBJECT	S OF EXPEN	<u>DITURE</u>			
Personal Services: NU POSITION TITLE		NUMBER OF 1 19-20	POSITION: <u>20-21</u>	-	019-20 NDITURES	2020-21 EXPENDITURES			
Renefit	S								
-	C				-				
Capital	outlay								
Aid									
Capital	improver	nents							
TO	TAL								

LB ⁽¹⁾ 130			FISCAL NOTE						
State Agency OR Political Subdivision N	University of Nebra	University of Nebraska							
Prepared by: (3) Michael Justus	Date Prepared: (4)	Phone: (5)	402-472-7109						
ESTIMATE	PROVIDED BY STATE AGEN	CY OR POLITICAL SUBDIVIS	ION						
	FY 2019-20	FY 2020	-21						
EXPENDI		EXPENDITURES	REVENUE						
GENERAL FUNDS									
CASH FUNDS									
FEDERAL FUNDS									
OTHER FUNDS									
TOTAL FUNDS									
Explanation of Estimate:									
<u>BREA</u> Personal Services:	AKDOWN BY MAJOR OBJECTS	S OF EXPENDITURE							
POSITION TITLE	NUMBER OF POSITIONS	2019-20 EXPENDITURES	2020-21 EXPENDITURES						
Benefits	<u> </u>								
Operating									
Travel									
Capital outlay									
Aid									
Capital improvements									
TOTAL									