

FISCAL NOTE
LEGISLATIVE FISCAL ANALYST ESTIMATE

ESTIMATE OF FISCAL IMPACT – STATE AGENCIES (See narrative for political subdivision estimates)				
	FY 2013-14		FY 2014-15	
	EXPENDITURES	REVENUE	EXPENDITURES	REVENUE
GENERAL FUNDS				
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 272 would amend sections of the Nebraska Chemigation Act and fees charged under the act. The existing statutory limit for obtaining an emergency chemigation permit would be increased from \$100 to \$500, with \$400 retained by the natural resources district and \$100 retained by the Department of Environmental Quality (DEQ.) In addition, LB 272 would require the Environmental Quality Council to establish initial application, special permit and annual renewal fees, each not to exceed \$250. The level of the fees would be set by rule and regulation, and would be established at a level not to exceed the ongoing administrative costs of the natural resources districts and DEQ. LB 272 also provides that not more than 20% of the fees shall be paid to DEQ.

There is no basis to disagree with the DEQ estimate that if the fees were established at the full statutory level authorized in LB 272, a total of would be \$4,147,190 retained by the natural resources districts, and \$1,078,640 going to DEQ. The actual amount that would be assessed and retained by the districts and DEQ will depend upon the rules and regulations established by the Environmental Quality Council. It is estimated that LB 272 could be administered by existing DEQ staff.

ADMINISTRATIVE SERVICES-STATE BUDGET DIVISION: REVIEW OF AGENCY & POLT. SUB. RESPONSES		
LB: 272	AM:	AGENCY/POLT. SUB: Nebraska Department of Environmental Quality
REVIEWED BY: Cindy Miserez	DATE: 1/25/2013	PHONE: 402-471-4174
COMMENTS: I have no basis to disagree with the Nebraska Department of Environmental Quality's statement.		

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

2013

LB⁽¹⁾ 272 FISCAL NOTE

State Agency OR Political Subdivision Name: ⁽²⁾ Nebraska Department of Environmental Quality

Prepared by: ⁽³⁾ Tom Lamberson Date Prepared: ⁽⁴⁾ 1/23/13 Phone: ⁽⁵⁾ (402) 471-4235

ESTIMATE PROVIDED BY STATE AGENCY OR POLITICAL SUBDIVISION

	<u>FY 2013-14</u>		<u>FY 2014-15</u>	
	<u>EXPENDITURES</u>	<u>REVENUE</u>	<u>EXPENDITURES</u>	<u>REVENUE</u>
GENERAL FUNDS				
CASH FUNDS	<u>0</u>	<u>\$1,078,640</u>	<u>0</u>	<u>\$1,078,640</u>
FEDERAL FUNDS				
OTHER FUNDS				
TOTAL FUNDS	<u></u>	<u></u>	<u></u>	<u></u>

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

LB 272 changes the Chemigation fee structure from fees set in statute to a fee structure primarily set in rules and regulations. This bill also changes language regarding time requirements for issuing emergency permits.

For purposes of this fiscal note, the Department assumes:

- 1) The bill is not intended to require the Council to set fees by individual Natural Resources District. The same fees for a specific permit type would be statewide.
- 2) 2011 permit data was used in calculating fiscal impacts. This data would be representative of the number of permits expected for future fiscal years.
- 3) An 80% / 20% split of revenue is assumed between the Natural Resource Districts and DEQ. If the ratios were changed, the total fees collected would remain the same, but the Districts would receive a greater share of the revenue.
- 4) Maximum statutory fees would be adopted.
- 5) Actual revenues would be determined only after fees were set by the Council.

The bill would generate estimated additional revenue to the Natural Resource Districts of \$4,147,190 in FY2013-14 and \$4,147,190 in FY2014-15.

The department does not anticipate the need for additional resources to implement LB 272. The estimated additional annual revenue to the department as a result of LB 272 would be an estimated \$1,078,640 in FY14 and \$1,078,640. The estimated fee revenue to the department from existing fees for FY 14 and FY 15 would be approximately \$50,000.

MAJOR OBJECTS OF EXPENDITURE

Personal Services:

<u>POSITION TITLE</u>	<u>NUMBER OF POSITIONS</u>		<u>2013-14</u>	<u>2014-15</u>
	<u>13-14</u>	<u>14-15</u>	<u>EXPENDITURES</u>	<u>EXPENDITURES</u>
Benefits.....				
Operating.....				
Travel.....				
Capital outlay.....				
Aid.....				
Capital improvements.....				
TOTAL.....			<u>0</u>	<u>0</u>