

Updated to reflect amendments adopted through April 29, 2021.

FISCAL NOTE
LEGISLATIVE FISCAL ANALYST ESTIMATE

ESTIMATE OF FISCAL IMPACT – STATE AGENCIES (See narrative for political subdivision estimates)				
	FY 2021-22		FY 2022-23	
	EXPENDITURES	REVENUE	EXPENDITURES	REVENUE
GENERAL FUNDS				
CASH FUNDS		\$372,210		\$744,421
FEDERAL FUNDS				
OTHER FUNDS				
TOTAL FUNDS		\$372,210		\$744,421

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

As amended, LB336 establishes the fee for an annual non-resident park permit be two times the fee of a resident park permit or \$60, whichever is greater. The duplicate annual non-resident park permit fee would also increase as it is to be half the cost of an annual non-resident park permit. Additionally, the fee for a temporary (daily) non-resident park permit would be set at two times the fee for a resident or \$12, whichever is greater.

Using a three year average annual, duplicate annual, and temporary non-resident park permit sales and the current resident park permit fees (\$30, \$15, \$6) the Game and Parks Commission (NGPC) estimates additional revenue of \$744,421 each year. The NGPC anticipates the 2022 permit cycle is when the increase would be implemented. The additional revenue would be remitted to the State Park Cash Revolving Fund and used for the statutory purpose of "improvement, maintenance, and operation of the state parks".

Currently, the resident annual and temporary park permit fees are capped in statute at \$35 and \$7, respectively. In the event these fees were to increase pursuant to the authority granted under 37-327, additional revenue could be actualized.

The NGPC fiscal note also discusses potential issues due to a requirement of the federal Land and Water Conservation Act where the cost for a non-resident park permit cannot be more than twice the cost of a resident park permit. If the agency is in non-compliance with this provision of the act, they are ineligible to receive federal funding under the act. However, this issue will not materialize unless the NGPC reduces the resident permit prices below their current rates. A reduction in resident park permit prices last occurred in 1979.

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2021

LB⁽¹⁾ 336 AM 380 nonresident motor vehicle park entry permit

FISCAL NOTE

State Agency OR Political Subdivision Name: ⁽²⁾ Nebraska Game and Parks Commission

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ESTIMATE PROVIDED BY STATE AGENCY OR POLITICAL SUBDIVISION

	<u>FY 2021-22</u>		<u>FY 2022-23</u>	
	<u>EXPENDITURES</u>	<u>REVENUE</u>	<u>EXPENDITURES</u>	<u>REVENUE</u>
GENERAL FUNDS	_____	_____	_____	_____
CASH FUNDS	_____	\$372,210	_____	\$744,420
FEDERAL FUNDS	_____	_____	_____	_____
OTHER FUNDS	_____	_____	_____	_____
TOTAL FUNDS	=====	\$372,210	=====	\$744,420

Explanation of Estimate: Currently the Nebraska Game and Parks Commission offers three types of permits, annual, temporary (daily) and a free resident disabled veteran. The annual and temporary come as either a nonresident licensed motor vehicle version (2021 fees \$45; \$8) or a resident licensed motor vehicle version (2021 fees \$30, \$6). A duplicate annual permit is available for each at half the price of a regular annual. All permits allow for the entry at all commission areas that require a permit. The proposed legislation as amended would increase the fee for the nonresident licensed motor vehicle version to two times the fee of resident licensed motor vehicle version, or \$60.00, whichever is greater.

HOWEVER, the agency's use of federal Land and Water Conservation Funds (LWCF) on the areas places some restrictions on nonresident pricing which may require an adjustment to the proposed maximum amounts. The following LWCF language would require the fee to be **no more** than twice the fee for a resident permit. At the current \$30 and \$6 resident rate that would maximize the NR permit fee at \$60/annual and \$12/daily.

"Discrimination on the basis of residence. Section 6(f)(8) of the LWCF Act provides, with respect to property acquired and/or developed with LWCF assistance, discrimination on the basis of residence, including preferential reservation, membership or annual permit systems is prohibited except to the extent reasonable differences in admission and other fees may be maintained on the basis of residence. **Fees charged to nonresidents cannot exceed twice the amount charged to residents.** Where there is no charge for residents, but a fee is charged to nonresidents, nonresident fees cannot exceed fees charged for residents at comparable state or local public facilities. Reservation, membership or annual permit systems available to residents must also be available to nonresidents and the period of availability must be the same for both residents and nonresidents.

(CONTINUED)

BREAKDOWN BY MAJOR OBJECTS OF EXPENDITURE

Personal Services:

<u>POSITION TITLE</u>	<u>NUMBER OF POSITIONS</u>		<u>2021-22 EXPENDITURES</u>	<u>2022-23 EXPENDITURES</u>
	<u>21-22</u>	<u>22-23</u>		
Benefits.....	_____	_____	_____	_____
Operating.....	_____	_____	_____	_____
Travel.....	_____	_____	_____	_____
Capital outlay.....	_____	_____	_____	_____
Aid.....	_____	_____	_____	_____
Capital improvements.....	_____	_____	_____	_____
TOTAL.....	_____	_____	_____	_____

Analysis will use the increase from current fee rates to the currently allowed maximum of \$60 (and \$12 for daily). Assumption is to be effective in 2022. Current statutes provides for the resident permit to be priced up to \$35 so there may be room for increase depending on resident increases.

	2018	2019	2020	3 year Average	Current Fee	Increased Fee	ADD. REVENUE
NR Annual	9,801	9,380	10,981	10,054	\$452,430	\$603,240	\$150,810
NR Duplicate	3,412	3,524	3,509	3,482	\$78,338	\$104,450	\$26,113
NR Daily	121,872	119,767	183,985	141,875	\$1,134,997	\$1,702,496	\$567,499
							\$744,421

Based on history and assuming limited decrease in visitation due to the increased fee, an increase of approximately \$744,421 in revenue could be realized under the proposed legislation,