

Revised to reflect AM2767.

FISCAL NOTE
LEGISLATIVE FISCAL ANALYST ESTIMATE

ESTIMATE OF FISCAL IMPACT – STATE AGENCIES (See narrative for political subdivision estimates)				
	FY 2024-25		FY 2025-26	
	EXPENDITURES	REVENUE	EXPENDITURES	REVENUE
GENERAL FUNDS				
CASH FUNDS	\$3,500	(\$37,206)	\$3,500	(\$59,510)
FEDERAL FUNDS				
OTHER FUNDS				
TOTAL FUNDS	\$3,500	(\$37,206)	\$3,500	(\$59,510)

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

LB867 as amended by the Committee amendment AM2767, contains the provisions of LB867 as amended by AM2532, plus the provisions of five other bills as amended. All of the bills are as follows:

LB867 as amended by AM2532, establishes a voluntary database of hunting guides, fishing guides, and outfitters to be created and maintained by the Nebraska Game and Parks Commission (NGPC). There would be a registration fee charged to administer the database. Specific requirements must be meant such as: not having been convicted of a felony, not having their hunting or fishing privileges suspended in Nebraska or other states which participate in the Interstate Wildlife Violator Compact, and not having violated state or federal game law, for the three years prior to application. If approved, an applicant would then be placed on the database for a three-year time period.

Expenditures: The NGPC anticipates the use of current staff working additional hours to create the database, adopt rules, regulations, and establish guidelines, these costs would be modest enough to be absorbed within the agency's existing appropriation.

Revenues: They have estimated 150 hunting guides, fishing guides, and outfitters would apply and meet the eligibility requirements to be listed on the database, over a 3-year period. NGPC anticipates that 50 of these 150 would apply each year, at an expected \$50 registration fee, this would equate to **\$2,500 of cash fund revenue gained each fiscal year beginning in FY2025-26** (as NGPC assumes it would take until FY2025-26 to get the program rules and regs, and website going).

LB866 as amended by AM2112, addresses the makeup of the five members of the Nebraska Power Review Board (PRB), and stipulates those members who had served as directors, officers, or employees of electric utilities cannot take part in proceedings by that electric utility if it comes before the board for four years, after leaving that position. This bill also: increases the number of consecutive terms a member can serve from two terms to three terms; increases the per diem for most PRB members from \$60 per day to \$100 per day; and increases the cap on total annual pay from \$6,000 to \$7,000.

Expenditures: The PRB used historical data to attain the average number of days per diems have been paid in recent years. Multiplying the average number of per diem days by the \$40 increase, and rounding, the PRB has estimated **\$3,500 in additional Power Review Board Cash Fund expenditures in both FY2024-25 and FY2025-26**, for Program 72.

LB868 as amended by AM2602, changes the Petroleum Release Remedial Action Cash Fund's sunset date from June 30, 2024, to June 30, 2028. Additionally, this bill repeals the transfers from this fund to the General Fund, and instead keeps the investment earnings in the Petroleum Release Remedial Action Cash Fund. This fund is managed by the Nebraska Department of Environment and Energy (NDEE) for the investigation and cleanup of leaky petroleum tanks. This has an emergency clause. **No fiscal impact as amended into this bill.**

LB971 as amended by AM2288, establishes a free one-day hunting permit, habitat stamp, and Nebraska migratory waterfowl stamp at no fee to Nebraska resident veteran who apply and have been honorably discharged. This permit is to be used only on November 11th, Veterans' Day each year, in the year it is obtained. The free hunting licenses would be obtained after a Nebraska resident veteran (separated or discharged under honorable conditions), submits an application to the NGPC. The NGPC has stated that while they currently do not offer one-day hunting permits, they do sell two-day hunting permits. Last year, only 3,363 of these two-day permits were sold total (of which only a portion would be bought by Nebraska resident veterans). The NGPC does not believe the free one-day hunting permit, habitat stamp, and Nebraska migratory waterfowl stamps, would reduce the number of annual permits sold, hence this **fiscal impact would be insignificant**.

LB1001 as amended by AM2374, provides for a newly created migratory waterfowl hunting season specifically for veterans and members of the armed forces. During this special season, any veteran or member of the armed forces may hunt as long as they have purchased a valid Nebraska hunting permit under the Game Law and all required stamps. No Park entry fee would be charged for entering any Park area during this season. The NGPC has estimated **no determinable fiscal impact** as a result of this portion of the bill.

LB1406 as amended by AM2511, requires the NGPC to create an annual Active-Duty Military Park Entry Permit to be offered for a \$5 fee to active-duty military members who are stationed in Nebraska, regardless of their residency.

Expenditures: The NGPC would have **minor permit system programming expenses which can be absorbed by the agency**.

Revenues: The NGPC has estimated a potential total **loss of cash fund revenue in FY2024-25 of (\$37,206) from the Park Cash Fund. The total projected loss in FY2025-26 would be (\$62,010)**. The established customers who already purchase permits for a higher fee, whom would now qualify and purchase the same permit for only \$5, would represent a revenue loss. The new customers who are not currently purchasing Nebraska park permits, would be a revenue gain. Here is a breakdown of the overall loss to the park cash fund:

ACTIVE-DUTY PARK PERMITS - FY2024-25 REVENUE		ACTIVE-DUTY PARK PERMITS - FY2025-26 REVENUE	
RESIDENT ANNUAL PARK FEE est. (loss - established customers' \$35 fee)	\$ (28,434)	RESIDENT ANNUAL PARK FEE est. (loss - established customers' \$35 fee)	\$ (47,390)
RESIDENT DAILY PARK FEE est. (loss - established customers' \$7 fee)	\$ (7,598)	RESIDENT DAILY PARK FEE est. (loss - established customers' \$7 fee)	\$ (12,663)
NON-RESIDENT ANNUAL PARK FEE est. (loss - established customers' \$70 fee)	\$ (4,662)	NON-RESIDENT ANNUAL PARK FEE est. (loss - established customers' \$70 fee)	\$ (7,770)
NON-RESIDENT DAILY PARK FEE est. (loss - established customers' \$14 fee)	\$ (9,853)	NON-RESIDENT DAILY PARK FEE est. (loss - established customers' \$14 fee)	\$ (16,422)
TOTAL PARK CASH REVENUE LOSS est.	\$ (50,547)	TOTAL PARK CASH REVENUE LOSS est.	\$ (84,245)
NEW ACTIVE-DUTY MILITARY CUSTOMERS est. (gain - new cheaper fee)	\$ 13,341	NEW ACTIVE-DUTY MILITARY CUSTOMERS est. (gain - new cheaper fee)	\$ 22,235
TOTAL PARK CASH REVENUE GAIN est.	\$ 13,341	TOTAL PARK CASH REVENUE GAIN est.	\$ 22,235
TOTAL PARK CASH FUND REVENUE LOSS / GAIN est.	\$ (37,206)	TOTAL PARK CASH FUND REVENUE LOSS / GAIN est.	\$ (62,010)

The NGPC has estimated these losses and gains based on an assumed number of applicants, utilizing U.S. Census Bureau data. This data allowed them to conclude that less than 1% of the U.S. residents are active-duty military. This was used in combination with the current fees, which is a reasonable way of estimating the number of potential applicants and associated revenue losses or gains.

These estimates of fiscal impact from NGPC, PRB, and NDEE all appear reasonable.

ADMINISTRATIVE SERVICES STATE BUDGET DIVISION: REVIEW OF AGENCY & POLT. SUB. RESPONSE			
LB: 867	AM: 2767	AGENCY/POLT. SUB: Game and Parks Commission	
REVIEWED BY:	Jacob Leaver	DATE: 3/5/2024	PHONE: (402) 471-4173
COMMENTS: The Game and Parks Commission's estimated fiscal impact as a result of LB 867 AM 2767 appears reasonable.			

ADMINISTRATIVE SERVICES STATE BUDGET DIVISION: REVIEW OF AGENCY & POLT. SUB. RESPONSE			
LB: 867	AM: 2767	AGENCY/POLT. SUB: Power Review Board	
REVIEWED BY:	Jacob Leaver	DATE: 3/4/2024	PHONE: (402) 471-4173
COMMENTS: Concur with the Power Review Board's estimated fiscal impact to the agency as a result of LB 867 AM 2767. However, disagree that the Power Review Board needs additional appropriation and PSL.			

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

2024

LB⁽¹⁾ 867 (Revised) as amended by AM2767

FISCAL NOTE

State Agency OR Political Subdivision Name: ⁽²⁾ Nebraska Power Review Board

Prepared by: ⁽³⁾ Tim Texel Date Prepared: ⁽⁴⁾ March 4, 2024 Phone: ⁽⁵⁾ 402-471-2301

ESTIMATE PROVIDED BY STATE AGENCY OR POLITICAL SUBDIVISION

	<u>FY 2024-25</u>		<u>FY 2025-26</u>	
	<u>EXPENDITURES</u>	<u>REVENUE</u>	<u>EXPENDITURES</u>	<u>REVENUE</u>
GENERAL FUNDS	_____	_____	_____	_____
CASH FUNDS	\$3,500	_____	\$3,500	_____
FEDERAL FUNDS	_____	_____	_____	_____
OTHER FUNDS	_____	_____	_____	_____
TOTAL FUNDS	<u>\$3,500</u>	_____	<u>\$3,500</u>	_____

Explanation of Estimate:

AM2767 amends LB 866 into LB 867. The substance of LB 866 (section 11 of LB 867 as amended by AM2767) is not altered. Therefore, the fiscal note amount does not change. For an explanation of how the amount requested was determined, please reference the Power Review Board’s fiscal note for LB 866.

BREAKDOWN BY MAJOR OBJECTS OF EXPENDITURE

Personal Services:

<u>POSITION TITLE</u>	<u>NUMBER OF POSITIONS</u>		<u>2024-25</u>	<u>2025-26</u>
	<u>24-25</u>	<u>25-26</u>	<u>EXPENDITURES</u>	<u>EXPENDITURES</u>
Board Member Per Diems	0	0	\$3,500	\$3,500
Benefits.....	_____	_____	_____	_____
Operating.....	_____	_____	_____	_____
Travel.....	_____	_____	_____	_____
Capital outlay.....	_____	_____	_____	_____
Aid.....	_____	_____	_____	_____
Capital improvements.....	_____	_____	_____	_____
TOTAL.....	_____	_____	<u>\$3,500</u>	<u>\$3,500</u>

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

2024

LB⁽¹⁾ 867 AM 2767 – Outfitters; Veteran hunting; \$5 Active duty Park Permit

FISCAL NOTE

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

Prepared by: ⁽³⁾ Christina Peters Date Prepared: ⁽⁴⁾ March 4, 2024 Phone: ⁽⁵⁾ (402) 471-5403

ESTIMATE PROVIDED BY STATE AGENCY OR POLITICAL SUBDIVISION

	<u>FY 2024-25</u>		<u>FY 2025-26</u>	
	<u>EXPENDITURES</u>	<u>REVENUE</u>	<u>EXPENDITURES</u>	<u>REVENUE</u>
GENERAL FUNDS	_____	_____	_____	_____
CASH FUNDS	_____	(37,206)	_____	(59,510)
FEDERAL FUNDS	_____	_____	_____	_____
OTHER FUNDS	_____	_____	_____	_____
TOTAL FUNDS	=====	(37,206)	=====	(59,510)

Explanation of Estimate:

The bill, as amended, makes the following changes:

Section 2 provides for the Game and Parks Commission to create and maintain a database of registered hunting and fishing guides and outfitters, charging a fee for placement on the database. Businesses must meet specified requirements to be included on the list for a period of 3 years.

The Secretary of State website shows 113 active businesses with “outfitters” in the title. Some of these are not hunting/fishing outfitters (rather, are related to water sports – kayak, canoe, etc.). Assuming a total of 150 interested outfitter / guide entities apply, and meet the business requirements, and using a \$50 registration fee that covers the 3 year period, this would generate \$7,500.00. It is expected this would be realized over the 3 year period and not all in year 1.

It is estimated that the database would first be available in the 2025-26 FY, giving time to adopt and promulgate rules and regulations to establish the guidelines for the program and make the necessary changes to the Agency website.

Section 3 requires a hunting season for migratory waterfowl open to only hunters with a veteran status. Veterans must possess a valid hunt permit with all required stamps. No park entry fee would be charged for entering any Park area during this season.

Sections 4 and 5 would require NGPC to issue a one-day Resident Hunt permit, habitat stamp and waterfowl stamp at no cost to applying qualified veterans, to be used only on November 11 (Veterans Day).

There is currently no one-day hunt permit offered. A two-day Nonresident Hunt permit is available, and in 2023 3,363 of these permits were sold. It is not believed that this would reduce the number of Resident annual hunt permits sold.

Section 6 would direct the Game and Parks Commission to create an annual Active-Duty Military Park Entry Permit. The cost of the permit would be \$5 for qualified Nebraska Residents and Non-residents.

According to the US Census Bureau in 2022, it was estimated that less than 1% of the national population are active duty military. Assuming the number of active-duty military purchasing the five dollar park entry permit is representative of qualifying individuals that purchased similar permits in 2023, and multiple Park Entry permits cannot be purchased by an individual, the potential net loss in FY24-25 (\$37,206) and \$(62,010) for FY25-26.

FY 2024-25 CY25 Only – 60% of FY25-26			FY 2025-26		
Resident Annual Park - \$35	\$	(28,434)	Resident Annual Park - \$35	\$	(47,390)
Resident Daily Park - \$7	\$	(7,598)	Resident Daily Park - \$7	\$	(12,663)
	\$	-			
Nonresident Annual Park	\$	(4,662)	Nonresident Annual Park	\$	(7,770)
Nonresident Daily Park	\$	(9,853)	Nonresident Daily Park	\$	(16,422)
FY 2024-25 Park Cash Pot Rev Loss	\$	(50,547)	FY 2025-26 Park Cash Pot Rev Loss	\$	(84,245)
Estimated Military Park Permit Revenue \$5	\$	13,341	Estimated Military Park Permit Revenue \$5	\$	22,235
23330 Park Cash NET Revenue Gain/Loss	\$	(37,206)	23330 Park Cash NET Revenue Gain/Loss	\$	(62,010)

BREAKDOWN BY MAJOR OBJECTS OF EXPENDITURE

Personal Services:

POSITION TITLE	NUMBER OF POSITIONS		2024-25	2025-26
	<u>24-25</u>	<u>25-26</u>	<u>EXPENDITURES</u>	<u>EXPENDITURES</u>
Benefits.....				
Operating.....				
Travel.....				
Capital outlay.....				
Aid.....				
Capital improvements.....				
TOTAL.....				