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 DATE PREPARED: February 22, 2011
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LB 554

Revision: 00

FISCAL NOTE
 LEGISLATIVE FISCAL ANALYST ESTIMATE

| ESTIMATE OF FISCAL IMPACT – STATE AGENCIES * | | | | |
|--|--------------|---------|--------------|---------|
| | FY 2011-12 | | FY 2012-13 | |
| | EXPENDITURES | REVENUE | EXPENDITURES | REVENUE |
| GENERAL FUNDS | See below | | See below | |
| CASH FUNDS | See below | | See below | |
| FEDERAL FUNDS | | | | |
| OTHER FUNDS | | | | |
| TOTAL FUNDS | | | | |

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

LB 554 provides that “It is unlawful for any person in or on a vessel, motorboat, or personal watercraft to possess an open alcoholic beverage container on waters of this state while such vessel, motorboat, or personal watercraft is underway”. The bill contains definitions of what constitutes an alcoholic beverage, an open container, and what “underway” means.

Making it unlawful to have an open alcoholic container on motorboats, personal watercraft, and vessels, which would include tubes, kayaks, canoes and horse tanks (tanking) would add to the violations to be enforced by the state’s Conservation Officers. The Game and Parks Commission has indicated that initially staff time to perform field checks and investigations will be redirected from other activities. But they go on to state that “increased demand will likely increase the need for additional staff as well as related fuel costs and supplies, and additional funding. A definitive estimate for those costs is not immediately determinable”.

It appears that the Commission will be able to absorb any enforcement costs in the next biennium without an additional appropriation (A-bill) given the fact that no specific costs are identified in their fiscal note. Should the Commission come forth with a future request for additional Conservation Officers the decision of whether the open container prohibition warrants additional officers, or whether other activities of the current officers should be given less priority, will be a policy decision to be addressed by the Legislature.

DEPARTMENT OF ADMINISTRATIVE SERVICES

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| REVIEWED BY | Joe Wilcox | 2/9/11 | PHONE 471-2526 |
| COMMENTS | | | |
| Fiscal impact not determined for Game and Parks Commission, but higher operating costs appear to be likely. No basis to assess agency conclusions. | | | |