PREPARED BY: DATE PREPARED: PHONE: Tom Bergquist February 13, 2018 471-0062

LB 948

Revision: 00

FISCAL NOTE

LEGISLATIVE FISCAL ANALYST ESTIMATE

ESTIMATE OF FISCAL IMPACT — STATE AGENCIES (See narrative for political subdivision estimates)							
	FY 201	8-19	FY 2019-20				
_	EXPENDITURES	REVENUE	EXPENDITURES	REVENUE			
GENERAL FUNDS							
CASH FUNDS							
FEDERAL FUNDS							
OTHER FUNDS							
TOTAL FUNDS							

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

LB 948 removes or amends 40 sections of statute relating to agency adoption of rules and regulations. For the most part, these changes remove the mandatory "shall" replaced by the permissive "may" with respect to adopting rules and regulations.

These changes should have a minimal fiscal impact if any.

	ADMINISTR	RATIVE SERVICES S	STATE BUDGET DIV	ISION: REVIE	W OF AGENCY & POLT. SUB. RESPONSE
LB:	948	AM:	AGENCY/POLT. S	SUB: Nebraska	a Department of Revenue
REV	IEWED BY:	Ann Linneman	DATE:	2-12-18	PHONE: (402) 471-4180
COMMENTS: Concur with the Nebraska Department of Revenue's estimate of no fiscal impact.					

	ADMINISTRATIVE SERVICES STATE BUDGET DIVISION: REVIEW OF AGENCY & POLT. SUB. RESPONSE					
LB:	948	AM:	AGENCY/POLT. S	SUB: Nebra	ska Department of Environmental Quality	
REV	TEWED BY:	Ann Linneman	DATE:	2-5-18	PHONE: (402) 471-4180	
COMMENTS: Concur with the Nebraska Department of Environmental Quality's estimate of no fiscal impact.						

	ADMINISTR	ATIVE SERVICES S	TATE BUDGET DIVISION: RE	EVIEW OF AGENCY & POLT. SUB. RESPONSE		
LB:	948	AM:	AGENCY/POLT. SUB: Nebr	aska Department of Motor Vehicles		
REV	TEWED BY:	Ann Linneman	DATE: 1-19-18	PHONE: (402) 471-4180		
COMMENTS: Concur with the Nebraska Department of Motor Vehicles' estimate of no fiscal impact.						

	ADMINISTRA	ATIVE SERVICES	STATE BUDGET DIVISION: REVIEW OF A	GENCY & POLT. SUB. RESPONSE
LB:	948	AM:	AGENCY/POLT. SUB: Nebraska Secreta	ary of State's Office
REV	TEWED BY:	Ann Linneman	DATE: 1-19-18	PHONE: (402) 471-4180

ADMINSTRATIVE SERVICES STATE BUDGET DIVISION: REVIEW OF AGENCY & POLT. SUB. RESPONSES						
LB: 948	AM:	AGENCY/POLT. SUB: Departmen	nt of Banking and Finance			
REVIEWED BY: Lee Will		DATE: 01/18/2018	PHONE: (402) 471-4175			
COMMENTS: Concur with the Department of Banking and Finance's assessment of no fiscal impact.						

COMMENTS: Concur with the Nebraska Secretary of State's Office's estimate of no fiscal impact.

ADMIN	NSTRATIVE SER	VICES STATE BUDGET DIVISION: REVIEW OF AGENC	Y & POLT. SUB. RESPONSES			
LB: 948	AM:	AGENCY/POLT. SUB: Attorney 0	General			
REVIEWED BY: Lee Will		DATE: 01/17/2018	PHONE: (402) 471-4175			
COMMENTS: Concur with the Attorney General's assessment of no fiscal impact.						

LB 948 Fiscal Note 2018

State Agency Estimate								
State Agency Name: Department	of Revenue				Date Due LFA:	2/14/2018		
Approved by: Tony Fulton		Date Prepared:	2/12/2018		Phone: 471-5896			
FY 2018-2019			FY 2019-2020		FY 2020-2021			
	Expenditures	Revenue	Expenditures	Revenue	Expenditures	Revenue		
General Funds		\$ 0	ĺ	\$ 0		\$ 0		
Cash Funds								
Federal Funds								
Other Funds								
Total Funds		\$ 0		\$ 0		\$ 0		

LB 948 amends 40 sections of statute to remove provisions that require various state agencies to adopt rules or regulations. Relevant to the Department of Revenue, most of these sections merely change "shall" to "may" in the statutes. Particular to Property Assessment, the following statutes strike the mandatory "shall" to allow the permissive "may": Neb. Rev. Stat. §§ 57-239 (regulations pertaining to the assessment of mineral interests), 76-2221(9) (the contracting of appraisers by county governments), 77-414 (county assessor certificate holder education), 77-702 (general regulation-making authority for the Property Tax Administrator), 77-1301.01 (appraisal standards), 77-1346 (special valuation of agricultural land and horticultural land), and 77-4111 (Employment and Investment Growth Act).

This bill amends Neb. Rev. Stat. §§ 84-907.04 and 84-909.01 to essentially provide that the Model Rules of Procedure adopted by the Attorney General will become the rules of procedure for all state agencies unless the agency demonstrates that the rules are impractical and separate rules for the agency are needed. This is designed to eliminate separate rules for each agency if the agency's rules merely parrot the Model Rules.

It is estimated that this bill will have no impact on General Fund revenues.

It is estimated that there will be minimal costs to the Department to implement this bill.

Major Objects of Expenditure								
Class Code	Classification Title	18-19 <u>FTE</u>	19-20 <u>FTE</u>	20-21 <u>FTE</u>	18-19 Expenditures	19-20 Expenditures	20-21 Expenditures	
Travel								
Capital Outlay								

$LB^{(1)}$	948						FISCAL NOTE		
State Agency OR Political Subdivision Name: (2)			Nebra	Nebraska Secretary of State's Office					
Prepare	ed by: (3)	Joyce Woofter	Dat	te Prepared: (4)	1/18/2018	Phone: (5)	402-471-2384		
		ESTIMATE PROV	/IDED BY	STATE AGEN	CY OR POLITICA	L SUBDIVISIO	ON		
		<u> </u>	Y 2018-19)		FY 2019)-2 <u>0</u>		
		EXPENDITUR	<u>ES</u>	REVENUE	EXPENDI [*]	TURES	REVENUE		
GENER	RAL FUND	OS			_				
CASH F	FUNDS				_				
FEDER	RAL FUND	OS	<u> </u>		_				
OTHE	R FUNDS		<u></u>						
TOTAI	L FUNDS								
Explana	ation of Es	timate:							
No fisc	cal impact	t.							
	'								
			OWN BY M	1AJOR OBJECT	TS OF EXPENDIT	URE			
Persona	al Services	:	NUMBER	OF POSITION	S 2018-	19	2019-20		
	POSITI	ON TITLE	<u>18-19</u>	<u>19-20</u>	<u>EXPENDI</u>		EXPENDITURES		
				<u> </u>	_				
Benefit	S			_					
									
Travel.									
Capital	outlay						-		
Aid									
-	-	nents							
TO	TAL								

LB ⁽¹⁾ 948			FISCAL NOTE
State Agency OR Political Subdivision Name: (2)	Attorney General		
Prepared by: (3) Jay Bartel	Date Prepared: (4)	1-12-18 Phone: (5)	471-2687
ESTIMATE PROV	IDED BY STATE AGEN	NCY OR POLITICAL SUBDIVIS	SION
EV	2018-19	FY 2019	0-90
EXPENDITURES		EXPENDITURES	REVENUE
GENERAL FUNDS		2	
CASH FUNDS			
FEDERAL FUNDS			
OTHER FUNDS			
TOTAL FUNDS			
Evaluation of Estimato.	-		
Explanation of Estimate:			
No Fiscal Impact.			
	VN BY MAJOR OBJECT	TS OF EXPENDITURE	
Personal Services:	UMBER OF POSITION	S 2018-19	2019-20
POSITION TITLE	<u>18-19</u> <u>19-20</u>	EXPENDITURES	EXPENDITURES
			:
-			-
Benefits			-
Operating			
Travel			
Capital outlay			·
Aid			72
Capital improvements			

LB ⁽¹⁾ 948			FISCAL NOTE
State Agency OR Political Subdivision Name: (2)	Department of Mo	otor Vehicles	_
Prepared by: (3) Bart Moore	Date Prepared: (4)	January 18, 2018 Phone: (5)	(402)471-3902
ESTIMATE PROV	IDED BY STATE AGEN	CY OR POLITICAL SUBDIVISIO	<u>ON</u>
	Y 2018-19	FY 2019	<u>-20</u>
<u>EXPENDITURE</u>	<u>REVENUE</u>	<u>EXPENDITURES</u>	<u>REVENUE</u>
GENERAL FUNDS			
CASH FUNDS	_	_	
FEDERAL FUNDS			
OTHER FUNDS		_	
TOTAL FUNDS			
Explanation of Estimate:			
No Fiscal Impact			
LB 948 Section 6 amends section 37-1 Department to repeal unnecessary regu		ne efficiency and effectiveness	
Personal Services:			
POSITION TITLE	NUMBER OF POSITION 18-19 19-20	IS 2018-19 EXPENDITURES	2019-20 EXPENDITURES
		-	
Benefits			
Operating			
Travel			
Capital outlay			
Capital improvements			
TOTAL			

	FOTIMATE DD OV	DED BY OTATE AGENOY OF	DOLITIOAL	OLIDBIN/IOLON	
State Agency or Political Sul		DED BY STATE AGENCY OF rtment of Health and Huma		SUBDIVISION	
Prepared by: (3) Mike Michalski	`,'			Phone:	(5) 471-6719
	·				
	FY 2018-		FY 2019-2020		_
	EXPENDITURES	REVENUE	EXPE	NDITURES	REVENUE
GENERAL FUNDS					
CASH FUNDS					
FEDERAL FUNDS					
OTHER FUNDS					
TOTAL FUNDS	\$0	\$0		\$0	\$0
Return by date specified or 72 ho	urs prior to public hearing, v	vhichever is earlier.			
Explanation of Estimate):				
•					
There is no fiscal impac	ct to the Department	of Health and Human	Services.		
PERSONAL SERVICES:	MA	JOR OBJECTS OF EXPENDIT	URE		
PERSONAL SERVICES:		NUMBER OF	POSITIONS	2018-2019	2019-2020
PC	OSITION TITLE	18-19	19-20	EXPENDITURES	EXPENDITURES
Benefits					
Operating					
Travel					
Capital Outlay					
Aid					
Capital Improvements					
TOTAL				\$0	\$0

FISCAL NOTE

LB⁽¹⁾ 948

State Agency OR Political Subdivision Name: (2)		Nebraska Department of Insurance				
Prepared by: (3)	Prepared by: (3) Robert M. Bell		2/13/18	Phone: (5)	(402) 471-4650	
	ESTIMATE PROV	<u>'IDED BY STATE AGEN</u>	CY OR POLITICAL S	<u>SUBDIVISIO</u>	V	
	F	Y 2018-19		FY 2019-	20	
	<u>EXPENDITURI</u>		EXPENDITU		REVENUE	
GENERAL FUNI	OS		_			
CASH FUNDS			_			
FEDERAL FUND	OS	<u></u>				
OTHER FUNDS						
TOTAL FUNDS						
Explanation of Es	stimate:					
and regulation Tit Second, LB 948 r NAC § 74, related Property and Cas Adoption of LB	tle 210 NAC § 4. repeals Neb. Rev. Stat. § 4 I to the withdrawal of subjualty Insurance Rate and F 948 will allow the Depar hin the existing staff and r	rtment to repeal these two resources of the Departmen	ne Department to repertia for property and care chapters of rules and t and will not have a fi	al the rule and asualty insure of the regulations. Fiscal impact	d regulation, Title 210 rs due to the passage of Such repeal will be	
Personal Services		DWN BY MAJOR OBJEC	S OF EXPENDITUR	<u>RE</u>		
	ION TITLE	NUMBER OF POSITION 18-19 19-20	S 2018-19 EXPENDITU		2019-20 EXPENDITURES	
5 61			_			
						
						
Capital improvem	nents					
TOTAL						

LB ⁽¹⁾ 948				FISCAL NOTE		
State Agency OR	Political Subdivision Name: (2)	Department of Banking & Finance				
Prepared by: (3)	Margo Sawyer	Date Prepared: (4) 1	/16/18 Phone:	(5) 471-4954		
	ESTIMATE PROV	IDED BY STATE AGENCY	OR POLITICAL SUBDIV	ISION		
	E	Y 2018-19	EV 20	019-20		
	<u>EXPENDITURE</u>		EXPENDITURES	REVENUE		
GENERAL FUN	IDS					
CASH FUNDS	·					
FEDERAL FUN	DS					
OTHER FUNDS						
TOTAL FUNDS						
Explanation of E	stimate.	<u> </u>				
Explanation of E	Stillato.					
	BREAKDO	WN BY MAJOR OBJECTS (OF EXPENDITURE			
Personal Service	es:					
POSIT	TION TITLE	NUMBER OF POSITIONS 18-19 19-20	2018-19 EXPENDITURES	2019-20 EXPENDITURES		
				 ,		
	ments					
				<u></u> -		

$LB^{(1)}$	948						FISCAL NOTE
State Agency OR Political Subdivision Name: (2)		Department of Environmental Quality					
Prepare	ed by: (3)	Ryan L	. Phillips	Date Prepared: (4)	2/2/2018 F	Phone: (5)	(402) 471-4222
		ES	STIMATE PROVID	DED BY STATE AGENO	CY OR POLITICAL SU	<u>BDIVISI</u>	ON
			FV.	2010 10		EV 2010	20
			EXPENDITURES	<u>2018-19</u> <u>REVENUE</u>	<u>EXPENDITURI</u>	<u>FY 2019</u> <u>ES</u>	<u>REVENUE</u>
GENER	RAL FUNI	OS					
CASH F	UNDS						
FEDER	AL FUND	OS					
OTHER	R FUNDS						
TOTAL	FUNDS						
		_			-		

Explanation of Estimate:

Fiscal impact for amended language: Cost savings may be realized from the regulatory actions to minimize necessary regulations. Pursuant to EO 17-04, the agency has identified several chapters in regulatory titles for these two Acts that may be repealed because the regulatory language merely repeats statutory language. The repeal of redundant language will reduce the overall volume of regulations, leaving only the essential additional requirements delegated by the Legislature, thereby reducing the burden to regulated entities.

Amended Sections:

Section 10 amends Neb. Rev. Stat. 46-734 of the Ground Water Management and Protection Act.

Section 11 amends Neb. Rev. Stat. 46-1136 of the Chemigation Act.

Repealed Sections:

Section 12 amends Neb. Rev. Stat. 46-1501 to acknowledge the repeal of Neb. Rev. Stat. 81-1509, the regulatory authorization provision of the Wellhead Protection Act.

Section 40 repeals outright Neb. Rev. Stat. 81-1509 and Neb. Rev. Stat. 69-2505, the regulatory authorization for the Plastic Container Coding Act.

Fiscal impact for repealed language: No fiscal impact. Regulations have not been promulgated for these two Acts. The Wellhead Protection Act is a voluntary program and the procedures are adequately described in statute. The Plastic Container Coding Act provision has been included in Title 132, but largely repeats statute as well.

BREAKDOWN BY MAJOR OBJECTS OF EXPENDITURE

Personal Services: NUMBER OF POSITIONS 2019-20 2018-19 POSITION TITLE <u> 18-19</u> <u>19-20</u> **EXPENDITURES EXPENDITURES** Benefits..... Operating..... Travel..... Capital outlay..... Aid..... Capital improvements..... TOTAL.....