

Revised to reflect amendments adopted through 2/6/09.

FISCAL NOTE
LEGISLATIVE FISCAL ANALYST ESTIMATE

ESTIMATE OF FISCAL IMPACT – STATE AGENCIES *				
	FY 2009-10		FY 2010-11	
	EXPENDITURES	REVENUE	EXPENDITURES	REVENUE
GENERAL FUNDS				
CASH FUNDS	382,300	552,813	684,000	821,855
FEDERAL FUNDS				
OTHER FUNDS				
TOTAL FUNDS	382,300	552,813	684,000	821,855

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

LB 105, as amended, increases fines and damage payments for Game Law violations, increases fees for the Habitat Stamp and the Aquatic Habitat Stamp, allows increases and decreases to various other fees, and establishes new fees. The attached Game and Parks Commission fiscal note is a multi-page document that goes into significant detail on the expected fiscal impact of LB 105's provisions. For the detail on each individual fee change please refer to the attached fiscal note.

Impact on the Game and Parks Commission

The greatest fiscal impact is from raising the Habitat Stamp from \$16.50 to \$20.00, and increasing the Aquatic Habitat Stamp from \$7.50 to \$10.00. Additional Habitat Stamp revenue is estimated to be \$234,500 in FY10 and \$469,000 in FY11. Additional Aquatic Habitat Stamp revenue is estimated to be \$300,000 in FY10 and \$400,000 in FY11. The other fee increases and decreases identified by the Commission net to an increase in revenue of \$18,313 in FY10 and a decrease in revenue of \$(47,145) in FY11.

Anticipated revenue to each cash fund is as follows.

	<u>FY2009-10</u>	<u>FY2010-11</u>
Game Cash Fund	\$2,313	\$(79,145)
Habitat Cash Fund	250,500	501,000
Aquatic Habitat Cash Fund	300,000	400,000
Total estimated additional revenue	\$552,813	\$821,855

Additional revenue can also be expected from the increase in liquidated damage amounts. But since the collection is dependent on an unknown number of violations, and how the increased damage amounts may affect the number of violations, no estimate is given of this potential revenue.

Limit on fee increases - The bill will restrict the allowed 6% annual increase in fees to a two year period. Currently, the 6% applies to any year since the fee was last raised. This change will require the Commission to increase fees more often, but in smaller amounts, and will eliminate the potential for large fee increases in any one year. The decision to raise fees within the limits prescribed in statute is still left to the Commission.

Lifetime permit revenue – Current law prohibits the expenditure of revenue from lifetime permits, this money must be held in perpetuity with only the interest income expendable. LB 105 would allow the expenditure of up to 75% of lifetime permit revenue in addition to the interest income. Depending on actions taken by the Commission in regards to spending this permit revenue, there may be an indeterminate decrease in investment income.

The Commission has indicated the desire to spend some of the additional revenue to enhance hunting and fishing access to private and public lands. They are requesting a cash fund A-bill of \$382,300 in FY2009-10, and \$684,600 in FY2010-11.

Impact to Schools

Fines levied for violations of the Game Law are increased throughout the bill. Any increase in fine revenue will benefit local schools as they are the recipients of this revenue. The amount of the increase is indeterminate due to unknown variables such as the impact of the higher fines on violations and whether prosecution will be successful.