

PREPARED BY: Scott Danigole  
 DATE PREPARED: January 23, 2023  
 PHONE: 402-471-0055

# LB 31

Revision: 00

## FISCAL NOTE

LEGISLATIVE FISCAL ANALYST ESTIMATE

<b>ESTIMATE OF FISCAL IMPACT – STATE AGENCIES</b> (See narrative for political subdivision estimates)				
	<b>FY 2023-24</b>		<b>FY 2024-25</b>	
	EXPENDITURES	REVENUE	EXPENDITURES	REVENUE
GENERAL FUNDS	\$133,435		\$107,603	
CASH FUNDS				
FEDERAL FUNDS				
OTHER FUNDS		See Below		See Below
<b>TOTAL FUNDS</b>	<b>\$133,435</b>	<b>See Below</b>	<b>\$107,603</b>	<b>See Below</b>

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

LB 31 prohibits any train or light engine used in connection with the movement of freight to operate unless it has a crew consisting of at least two individuals. The Public Service Commission (PSC) shall enforce this section and remit all fines collected to the State Treasurer for distribution in accordance with Article VII, section 5, of the Constitution of Nebraska (to the Permanent School Fund).

The PSC estimates the need for 1.0 FTE to administer and enforce the provisions of LB 31. Included in their estimate are related start-up costs, such as a vehicle, and related travel expenses. There is no basis to disagree with this estimate.

The amount of any fines collected cannot be determined.

ADMINISTRATIVE SERVICES STATE BUDGET DIVISION: REVIEW OF AGENCY & POLT. SUB. RESPONSE				
LB:	31	AM:	AGENCY/POLT. SUB: Public Service Commission	
REVIEWED BY:	Lee Will	DATE:	1/28/2023	PHONE: (402) 471-4175
COMMENTS: The Public Service Commission's assessment of fiscal impact seems reasonable given the assumptions provided.				

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

2023

LB<sup>(1)</sup> 31

FISCAL NOTE

State Agency OR Political Subdivision Name: <sup>(2)</sup> Nebraska Public Service Commission

Prepared by: <sup>(3)</sup> Laurie Casados Date Prepared: <sup>(4)</sup> 1/11/2023 Phone: <sup>(5)</sup> 402-471-0252

ESTIMATE PROVIDED BY STATE AGENCY OR POLITICAL SUBDIVISION

	<u>FY 2023-24</u>		<u>FY 2024-25</u>	
	<u>EXPENDITURES</u>	<u>REVENUE</u>	<u>EXPENDITURES</u>	<u>REVENUE</u>
GENERAL FUNDS	133,435		107,603	
CASH FUNDS				
FEDERAL FUNDS				
OTHER FUNDS				
TOTAL FUNDS	<u>133,435</u>		<u>107,603</u>	

Explanation of Estimate:

LB31 requires that:

(2) no train or light engine used in connection with the movement of freight shall be operated unless it has a crew consisting of at least two individuals.

(3) Any person who willfully violates this section shall be fined:

(a) for a first offense committed within a three-year period, not less than two hundred fifty dollars and not more than one thousand dollars

(b) for a second offense committed within a three-year period, not less than one thousand dollars and not more than five thousand dollars; and

(c) for a third or subsequent offense committed within a three-year period, not less than five thousand dollars and not more than ten thousand dollars

(3) The Public Service Commission shall enforce this section and shall remit all fines collected under this section to the State Treasurer for distribution in accordance with Article VII, section 5, of the Constitution of Nebraska.

In order to enforce the provisions of LB31, the Commission would require an additional inspector with related salary, benefits, operating, and travel expenses. We would also need to purchase an additional vehicle for the inspector.

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**BREAKDOWN BY MAJOR OBJECTS OF EXPENDITURE**

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**Personal Services:**

<b><u>POSITION TITLE</u></b>	<b><u>NUMBER OF POSITIONS</u></b>		<b><u>2023-24</u></b>	<b><u>2024-25</u></b>
	<b><u>23-24</u></b>	<b><u>24-25</u></b>	<b><u>EXPENDITURES</u></b>	<b><u>EXPENDITURES</u></b>
Inspector I	1	1	62,843	65,985
Benefits.....			33,362	34,798
Operating.....			1,510	100
Travel.....			6,720	6,720
Capital outlay.....			29,000	0
Aid.....			0	0
Capital improvements.....			0	0
<b>TOTAL</b> .....			<b>133,435</b>	<b>107,603</b>