

PREPARED BY: Scott Danigole  
 DATE PREPARED: January 25, 2018  
 PHONE: 471-0055

**LB 1031**

Revision: 00

**FISCAL NOTE**  
**LEGISLATIVE FISCAL ANALYST ESTIMATE**

<b>ESTIMATE OF FISCAL IMPACT – STATE AGENCIES</b> (See narrative for political subdivision estimates)				
	<b>FY 2018-19</b>		<b>FY 2019-20</b>	
	EXPENDITURES	REVENUE	EXPENDITURES	REVENUE
GENERAL FUNDS				
CASH FUNDS	350			
FEDERAL FUNDS				
OTHER FUNDS				
TOTAL FUNDS	350			

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

LB 1031 changes provisions of the One-Call Notification System Act.

Sections 3 through 6 provide definitions for the following terms: “Approximate location”, “Large project”, “Mechanical equipment”, and “Nonintrusive excavating”.

The State Fire Marshal estimates a cost of \$350 (Cash Funds) to publish the regulation notice required in LB 1031. This estimate appears to be reasonable.

**ADMINISTRATIVE SERVICES STATE BUDGET DIVISION: REVIEW OF AGENCY & POLT. SUB. RESPONSE**

LB: 1031 AM: AGENCY/POLT. SUB: State Fire Marshal

REVIEWED BY: Claire Oglesby DATE: 1/25/18 PHONE: [\(402\) 471-4174](tel:4024714174)

COMMENTS: State Fire Marshal’s statement appears reasonable based on the assumptions provided.

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

**2018**

**LB<sup>(1)</sup> 1031**

**FISCAL NOTE**

State Agency OR Political Subdivision Name: <sup>(2)</sup> State Fire Marshal

Prepared by: <sup>(3)</sup> Deb Hostetler Date Prepared: <sup>(4)</sup> 01/24/18 Phone: <sup>(5)</sup> (402) 471-9479

**ESTIMATE PROVIDED BY STATE AGENCY OR POLITICAL SUBDIVISION**

	<u>FY 2018-19</u>		<u>FY 2019-20</u>	
	<u>EXPENDITURES</u>	<u>REVENUE</u>	<u>EXPENDITURES</u>	<u>REVENUE</u>
GENERAL FUNDS	_____	_____	_____	_____
CASH FUNDS	350	_____	_____	_____
FEDERAL FUNDS	_____	_____	_____	_____
OTHER FUNDS	_____	_____	_____	_____
TOTAL FUNDS	=====	=====	=====	=====

**Explanation of Estimate:**

The Agency has included the cost for publishing the regulation notice as LB 1031 requires the Agency to promulgate regulations for large projects. There will be additional costs to developing those regulations, but the specific dollar amount is undeterminable due to the fact the LB would require the Agency to set things such as "...complaint procedures, cost allocation, and reimbursement procedures." The activities discussed in those requirements (such as locating underground facilities) are outside the activities currently performed by the Agency and it is unknown what processes or experts the Agency might have to utilize to determine these costs.

The Agency would also like to note there is a technical problem with the requirement that the Agency promulgate these rules as it is in conflict with the requirements of §76-2319 which was amended by LB 263 last year to state:

“The rules and regulations adopted and promulgated by the State Fire Marshal may provide for:

- (a) Any requirements necessary to comply with United States Department of Transportation programs;
  - (b) The qualifications, appointment, retention, and composition of the board of directors; and
  - (c) Best practices for the marking, location, and notification of proposed excavations which shall govern the center, excavators, and operators of underground facilities.
- (3) Any rule or regulation adopted and promulgated by the State Fire Marshal pursuant to subdivision (2)(c) of this section shall originate with the board of directors.”

**BREAKDOWN BY MAJOR OBJECTS OF EXPENDITURE**

**Personal Services:**

<u>POSITION TITLE</u>	<u>NUMBER OF POSITIONS</u>		<u>2018-19</u>	<u>2019-20</u>
	<u>18-19</u>	<u>19-20</u>	<u>EXPENDITURES</u>	<u>EXPENDITURES</u>
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
Benefits.....	_____	_____	_____	_____
Operating.....	_____	_____	_____	_____

