

Update to reflect adoption of AM386

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

<b>ESTIMATE OF FISCAL IMPACT – STATE AGENCIES (See narrative for political subdivision estimates)</b>				
	<b>FY 2020-21</b>		<b>FY 2021-22</b>	
	<b>EXPENDITURES</b>	<b>REVENUE</b>	<b>EXPENDITURES</b>	<b>REVENUE</b>
GENERAL FUNDS				
CASH FUNDS	see below	see below	see below	see below
FEDERAL FUNDS				
OTHER FUNDS				
TOTAL FUNDS				

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

As amended, LB 287 makes the following changes:

- Provides the Game and Parks Commission with the authority to disseminate promotional materials in addition to the currently authorized informational materials.
  - The potential fiscal impact of this change is presumed to be in the form of expenditures as there is an expansion to the methods available to the Commission for informing the public. However, until the department develops and implements any additional approaches, costs are unknown.
- Allows for temporary reduced rates and combinations of permits/stamps for specific events or during specific timeframes.
  - The potential fiscal impact of this change is difficult to discern as the number of individuals who would take advantage of the temporarily reduced fees that would normally pay full-price is unknown, as is the quantity or duration of the events and timeframes where the reduced rates would be offered. Additionally, there could be an increase in the number of permits sold due to some individuals who normally would not purchase a permit at full-price now purchasing the discounted permit or purchasing a combination permit due to the discount. For these reasons the fiscal impact is indeterminate.
- Provides for the ability of big game hunters and paddlefish anglers to purchase preference and bonus points.
  - It is unknown how many individuals would purchase preference and bonus points which results in an inability to determine an estimated revenue dollar amount, but it is presumable that any fiscal impact would be in the form of an increase in revenue. The agency has indicated existing permitting systems are able to accommodate any needed changes with minimal cost. Fees for the points would be capped at \$24 for residents and \$72 for nonresidents.
- Eliminates or reduces several fees charged for the replacement of lost/damaged permits.
  - This change would result in a loss of revenue. However, the impact is viewed by the agency to be minimal due to the advent of electronic and mobile permit accessibility which has reduced revenue since their implementation.
- Removes several minimum fee price requirements.
  - No fiscal impact is anticipated as fees are already above the minimum threshold.
- Increases maximum cost thresholds of annual nonresident park entry permit to \$55.
  - The current fee is \$45, if the agency were to exercise its authority under NRS 37-438 to raise the fees, an increase in revenue would be seen provided the number of permits sold does not reduce.
- Increases maximum cost threshold of a daily nonresident park entry permit to \$10.
  - The current fee is eight (8) dollars, if the agency were to exercise its authority under NRS 37-438 to raise the fee, an increase in revenue would be seen provided the number of permits sold does not reduce.
- Eliminates the Aquatic Invasive Species add-on fee and incorporates the fee into the normal price of registering a boat in order to be compliant with a federal interpretation of acceptable fee structure.
  - No fiscal impact is present with regard to this change as the same fee amount is still being paid when a boat is registered, it is just now being considered as part of the normal registration fee structure.

- Sets a range for the cost of an annual habitat and aquatic habitat stamps.
  - Currently, statute dictates that an annual habitat stamps costs \$25 and the aquatic habitat stamp \$15, the bill would add language to statute that directs the agency can charge not more than the amounts specified above. As only authority is provided to the agency to reduce the fees, no fiscal impact is anticipated.
- Provides the commission with the authority to establish additional hunter orange requirements during authorized hunting seasons.
  - No fiscal impact is present as only authority is provided and any requirements would be placed upon individual hunters.

All changes are discussed in further detail in the agency's revised fiscal note (see attached) as is the inability to determine a direct fiscal impact. There is no basis to disagree with the agency's indeterminate fiscal impact.

Lancaster County has indicated there is no fiscal impact. There is no basis to disagree with this assessment.

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

**2020**

**LB<sup>(1)</sup> 287 AM386 changes to Game Law re permit/stamp fees**

**FISCAL NOTE**

State Agency OR Political Subdivision Name: <sup>(2)</sup> Nebraska Game and Parks Commission

Prepared by: <sup>(3)</sup> Patrick Cole Date Prepared: <sup>(4)</sup> 1/22/2020 Phone: <sup>(5)</sup> 402-471-5523

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

	<u>FY 2020-21</u>		<u>FY 2021-22</u>	
	<u>EXPENDITURES</u>	<u>REVENUE</u>	<u>EXPENDITURES</u>	<u>REVENUE</u>
GENERAL FUNDS	_____	_____	_____	_____
CASH FUNDS	_____	See below	_____	See below
FEDERAL FUNDS	_____	_____	_____	_____
OTHER FUNDS	_____	_____	_____	_____
<b>TOTAL FUNDS</b>	=====	=====	=====	=====

**Explanation of Estimate:**

The proposed legislation as amended would make a number of changes to the Game Law related to agency's ability to adjust permit/stamp fees on a temporary basis, provide for hunters to set out draws but still purchase preference points, and reposition the Aquatic Invasive Species fees to comply with federal directive. Additional items are also covered and will be discussed in the following by either section or action.

Sections 1, 2, 3, and 4 provide definitions which in and of themselves provide no fiscal impact.

Section 5 expands the agency's options in how it may inform the public of the outdoor recreational opportunities in Nebraska. Currently it is in the form of information only. The proposed language would broaden it to include promotional materials. This may include small token items such as participation recognition items such as t-shirt, caps, food and refreshments to peak interest and participatory learning. This would occur at times when an outside partner/donor is not available to contribute or can only cover a portion of the costs. Since the number of events that this would be used for is unknown nor the items to be used, no estimate is provided.

Sections 6,9,10,11,12,13 would allow the commission to offer permits/stamps or combinations of each at temporarily reduced rates for specific events or during specified timeframes. This would also allow the fee to return to its original price after the time frame/event occurred. It will likely be initially revenue negative (due to discount rate) but potentially revenue positive if the offer entices new participants or gains new certifiable

**BREAKDOWN BY MAJOR OBJECTS OF EXPENDITURE**

**Personal Services:**

<u>POSITION TITLE</u>	<u>NUMBER OF POSITIONS</u>		<u>2020-21</u>	<u>2021-22</u>
	<u>20-21</u>	<u>21-22</u>	<u>EXPENDITURES</u>	<u>EXPENDITURES</u>
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
Benefits.....	_____	_____	_____	_____
Operating.....	_____	_____	_____	_____
Travel.....	_____	_____	_____	_____
Capital outlay.....	_____	_____	_____	_____
Aid.....	_____	_____	_____	_____
Capital improvements.....	_____	_____	_____	_____
<b>TOTAL.....</b>	_____	_____	_____	_____

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hunters or anglers (federal aid \$) and/or new customers. It is anticipated that the Commission will evaluate the potential revenue losses and potential gains prior to offering new permit combinations, with a focus on combinations with a higher potential of being revenue positive and gaining new participants in hunting and fishing. It would be a cost savings to participants.

Sections 11, 12, 13 and 14 address preference points. Big game hunters and paddlefish anglers have requested an opportunity to purchase preference points and avoid the draw due to potential schedule conflicts. Currently an individual must apply for a draw permit to get either a permit (successful draw=permit and LOSS of all points) or a preference point (unsuccessful draw=no permit but 1 add on preference point). The number of accumulated preference points improves your odds of getting a particular permit in a given year. If an individual has enough preference points and thinks they are likely to draw a permit, but have a reason they can't hunt/fish that year, they don't want to risk drawing and losing all accumulated preference points AND not be able to use the permit. They also don't want to lose an opportunity to gain another preference point; thus, the reason for this requested change. Since this is a new opportunity it is uncertain how many individuals, for any given species, would take advantage of it. It would be revenue positive due to the add-on fee above the application fee. However since participation rate is unknown and would vary from year to year and species by species, no estimate is given. Implementation process specifics would work with current programming to minimize expense.

Sections 7, 8 and 9 include language that would essentially allow for the reduction or elimination of fees charged for replacing lost or damaged permits. Currently the permit replacement fee is \$5 for most permits. With the development and implementation of electronic and mobile device delivery system, the need for replacement paper permits has diminished for most permits. Lowering or eliminating the fee while revenue negative is expected to have a minimal effect on total revenues.

Section 10, in addition to providing the discount/bundling options identified earlier for park permits, would raise the maximum fee while eliminating the minimum for nonresident annual motor vehicle permits. Currently the maximum fee for a nonresident motor vehicle permit is \$45. The proposed new maximum would be \$55. Duplicate annual permits are half price of a regular annual permit thus new maximum fee of \$27.50 for nonresident duplicate annual would result. Daily permits are currently maximized at \$7 and \$8, resident/nonresident. Only the nonresident would increase. The new max would be \$10. As amended, the minimum and maximum for the resident annual permits would not change. **Without eliminating the minimum amount language, the ability to discount/bundle resident annual/duplicate annual permits would be limited.**

The following chart shows the estimated increased revenue these changes could have over-time. The estimates are based on 2018 sales (through December). Increases would be subject to 37-327 and thus limited by percent from last increase (6%/year 18% max for 3/years). Increases to the max level would take several years and certainly would not be achievable in current biennium.

Permit Name	2019 fee	current max	LB287MAX	2018 QTY	Current \$	NEW MAX\$	MAX GAIN
Nonresident Annual Park	\$ 45.00	\$ 45.00	\$ 55.00	9,801	\$ 441,045	\$ 539,055	\$ 98,010
Nonresident Daily Park	\$ 8.00	\$ 8.00	\$ 10.00	121,872	\$ 974,976	\$ 1,218,720	\$ 243,744
Nonresident Duplicate Park	\$ 22.50	\$ 22.50	\$ 27.50	3,412	\$ 76,770	\$ 93,830	\$ 17,060
					<b>\$ 1,492,791</b>	<b>\$1,851,605</b>	<b>\$ 358,814</b>

Section 15 allows the commission to require hunter orange to be worn during additional authorized hunting season. This would not have a fiscal impact on the Commission

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fees

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Section 16 and 17 eliminates the Aquatic Invasive Species add on fee at the time of resident boat registration fees and instead increases the boat registration fees by a like amount (\$5 each). This is expected to bring the State into compliance with Federal interpretation of acceptable fee structure in order to receive Coast Guard funds for boating law enforcement and boating education. Since this only changes the structural/naming process for resident boat registration, no fiscal impact is expected. The FY 2018 fees collected for add on AIS fees of \$147,360 would be shifted to the increase in boat registration fees for no net gain/loss.