

Revised to reflect newly adopted AM3054.

FISCAL NOTE
LEGISLATIVE FISCAL ANALYST ESTIMATE

ESTIMATE OF FISCAL IMPACT – STATE AGENCIES (See narrative for political subdivision estimates)				
	FY 2024-25		FY 2025-26	
	EXPENDITURES	REVENUE	EXPENDITURES	REVENUE
GENERAL FUNDS				
CASH FUNDS	\$3,500	(\$37,206)	\$3,500	(\$59,510)
FEDERAL FUNDS				
OTHER FUNDS				
TOTAL FUNDS	\$3,500	(\$37,206)	\$3,500	(\$59,510)

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

LB867 as amended by AM3054 to the Committee AM2767, contains the provisions of LB867 as amended by AM2767 and six additional bills. AM3054 (LB636 from 2023) prohibits political subdivisions from: enacting/implementing ordinances, codes, resolutions, rules, regulations, or policies which restrict/prohibit, or have the effect of restricting/prohibiting the types of fuel sources of energy which may be used, delivered, converted, or supplied by: natural gas utilities/transmission companies, retail marketers of propane, or propane dispensers, which serve customers. This prohibition does not apply to natural gas utilities owned/operated by cities/villages, or regulating a retail marketer/dispenser of propane. **No fiscal impact as amended into this bill.**

LB867 as amended by AM2532, establishes a voluntary database of hunting guides, fishing guides, and outfitters to be created and maintained by the Nebraska Game and Parks Commission (NGPC). There would be a registration fee charged to administer the database. Specific requirements must be meant such as: not having been convicted of a felony, not having their hunting or fishing privileges suspended in Nebraska or other states which participate in the Interstate Wildlife Violator Compact, and not having violated state or federal game law, for the three years prior to application. If approved, an applicant would then be placed on the database for a three-year time period.

Expenditures: The NGPC anticipates the use of current staff working additional hours to create the database, adopt rules, regulations, and establish guidelines, these **modest costs would be absorbed** within the agency’s existing appropriation.

Revenues: They have estimated 150 hunting guides, fishing guides, and outfitters would apply and meet the eligibility requirements to be listed on the database, over a 3-year period. NGPC anticipates that 50 of these 150 would apply each year, at an expected \$50 registration fee, this would equate to **\$2,500 of cash fund revenue gained each fiscal year beginning in FY2025-26** (as NGPC assumes it would take until FY2025-26 to get the program rules and regs, and website going).

LB866 as amended by AM2112, addresses the makeup of the five members of the Nebraska Power Review Board (PRB), and stipulates those members who had served as directors, officers, or employees of electric utilities cannot take part in proceedings by that electric utility if it comes before the board for four years, after leaving that position. This bill also: increases the number of consecutive terms a member can serve from two terms to three terms; increases the per diem for most PRB members from \$60 per day to \$100 per day; and increases the cap on total annual pay from \$6,000 to \$7,000.

Expenditures: The PRB used historical data to attain the average number of days per diems have been paid in recent years. Multiplying the average number of per diem days by the \$40 increase, and rounding, the PRB has estimated **\$3,500 in additional Power Review Board Cash Fund expenditures in both FY2024-25 and FY2025-26**, for Program 72.

LB868 as amended by AM2602, changes the Petroleum Release Remedial Action Cash Fund’s sunset date from June 30, 2024, to June 30, 2028. Additionally, this bill repeals the transfers from this fund to the General Fund, and instead keeps the investment earnings in the Petroleum Release Remedial Action Cash Fund. This fund is managed by the Nebraska Department of Environment and Energy (NDEE) for the investigation and cleanup of leaky petroleum tanks. This has an emergency clause. **No fiscal impact as amended into this bill.**

LB971 as amended by AM2288, establishes a free one-day hunting permit, habitat stamp, and Nebraska migratory waterfowl stamp at no fee to Nebraska resident veteran who apply and have been honorably discharged. This permit is to be used only on November 11th, Veterans’ Day each year, in the year it is obtained. The free hunting licenses would be obtained after a Nebraska resident veteran (separated or discharged under honorable conditions), submits an application to the NGPC. The NGPC has stated that while they currently do not offer one-day hunting permits, they do sell two-day hunting permits. Last year, only 3,363 of these two-day permits were sold total (of which only a portion would be bought by Nebraska resident veterans). The NGPC does not believe the free

one-day hunting permit, habitat stamp, and Nebraska migratory waterfowl stamps, would reduce the number of annual permits sold, hence this **fiscal impact would be insignificant**.

LB1001 as amended by AM2374, provides for a newly created migratory waterfowl hunting season specifically for veterans and members of the armed forces. During this special season, any veteran or member of the armed forces may hunt as long as they have purchased a valid Nebraska hunting permit under the Game Law and all required stamps. No Park entry fee would be charged for entering any Park area during this season. The NGPC has estimated **no determinable fiscal impact** as a result of this portion of the bill.

LB1406 as amended by AM2511, requires the NGPC to create an annual Active-Duty Military Park Entry Permit to be offered for a \$5 fee to active-duty military members who are stationed in Nebraska, regardless of their residency.

Expenditures: The NGPC would have **minor permit system programming expenses which can be absorbed by the agency**.

Revenues: The NGPC has estimated a potential total **loss of cash fund revenue in FY2024-25 of (\$37,206) from the Park Cash Fund. The total projected loss in FY2025-26 would be (\$62,010)**. The established customers who already purchase permits for a higher fee, whom would now qualify and purchase the same permit for only \$5, would represent a revenue loss. The new customers who are not currently purchasing Nebraska park permits, would be a revenue gain. Here is a breakdown of the overall loss to the park cash fund:

ACTIVE-DUTY PARK PERMITS - FY2024-25 REVENUE		ACTIVE-DUTY PARK PERMITS - FY2025-26 REVENUE	
RESIDENT ANNUAL PARK FEE est. (loss - established customers' \$35 fee)	\$ (28,434)	RESIDENT ANNUAL PARK FEE est. (loss - established customers' \$35 fee)	\$ (47,390)
RESIDENT DAILY PARK FEE est. (loss - established customers' \$7 fee)	\$ (7,598)	RESIDENT DAILY PARK FEE est. (loss - established customers' \$7 fee)	\$ (12,663)
NON-RESIDENT ANNUAL PARK FEE est. (loss - established customers' \$70 fee)	\$ (4,662)	NON-RESIDENT ANNUAL PARK FEE est. (loss - established customers' \$70 fee)	\$ (7,770)
NON-RESIDENT DAILY PARK FEE est. (loss - established customers' \$14 fee)	\$ (9,853)	NON-RESIDENT DAILY PARK FEE est. (loss - established customers' \$14 fee)	\$ (16,422)
TOTAL PARK CASH REVENUE LOSS est.	\$ (50,547)	TOTAL PARK CASH REVENUE LOSS est.	\$ (84,245)
NEW ACTIVE-DUTY MILITARY CUSTOMERS est. (gain - new cheaper fee)	\$ 13,341	NEW ACTIVE-DUTY MILITARY CUSTOMERS est. (gain - new cheaper fee)	\$ 22,235
TOTAL PARK CASH REVENUE GAIN est.	\$ 13,341	TOTAL PARK CASH REVENUE GAIN est.	\$ 22,235
TOTAL PARK CASH FUND REVENUE LOSS / GAIN est.	\$ (37,206)	TOTAL PARK CASH FUND REVENUE LOSS / GAIN est.	\$ (62,010)

The NGPC has estimated these losses and gains based on an assumed number of applicants, utilizing U.S. Census Bureau data. This data allowed them to conclude that less than 1% of the U.S. residents are active-duty military. This was used in combination with the current fees, which is a reasonable way of estimating the number of potential applicants and associated revenue losses or gains.

These estimates of fiscal impact from NGPC, PRB, and NDEE all appear reasonable.