

Doug Gibbs D: February 16, 2011 471-0051

LB 253

Revision: 00 FISCAL NOTE LEGISLATIVE FISCAL ANALYST ESTIMATE

 ESTIMATE OF FISCAL IMPACT – STATE AGENCIES *

 FY 2011-12
 FY 2012-13

 EXPENDITURES
 REVENUE

 GENERAL FUNDS
 CASH FUNDS
 CASH FUNDS
 CASH
 CASH

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

LB 253 amends Nebraska Revised Statutes Section 77-6203, dealing with wind energy generating facilities.

The bill strikes language allowing the amount of property tax paid on a wind energy generation facility commissioned prior to July 15, 2010 that is in excess of the amount of nameplate capacity tax that would have been paid, to be taken as a credit against any nameplate capacity tax due for 2010 and subsequent years until the credit is fully utilized.

The bill is retroactive until January 1, 2010 and applies to any wind energy generation facility commissioned before, on, or after July 15, 2010.

The nameplate capacity is the capacity of a wind turbine to generate electricity as measured in megawatts. The nameplate capacity tax is the nameplate capacity times \$3,518 (the tax rate). For example, a wind turbine with a nameplate capacity of 1.5 megawatts would generate \$5,277 in taxes annually. Taxes are collected by the Department of Revenue and remitted to the county treasurer where the wind generation facility is located.

The purpose of the nameplate capacity tax, as stated in Section 77-6201, is to replace property tax and, although collected by the Department of Revenue, it is remitted to the appropriate county treasurer. Therefore, there is no fiscal impact to the state as a result of LB 253.

The Department of Revenue indicates the cost to implement LB 253 will be minimal.

We agree with the Department of Revenue's estimate of cost.

IMPACT TO POLITICAL SUBDIVISIONS:

The Nebraska Association of County Officials indicates no fiscal impact to counties.

DEPARTMENT OF ADMINISTRATIVE SERVICES						
REVIEWED BY	Lyn Heaton	DATE 2/22/11	PHONE 471-2526			
COMMENTS						
DEPARTMENT OF REVENUE: Cond	ur. No fiscal impact on the D	epartment of Revenue.				
NEBRASKA ASSOCIATION OF COU particularly counties affected by the na		ed that the bill would have at least	some fiscal impact on counties,			

RECEIVED

JAN 24 2011

LB 253

Fiscal Note 2011

LB 253	TAP DIG GUIDT				Fiscal Note	2011
	111 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	State Agency	Estimate			
State Agency Name: Department o	f Revenue				Date Due LFA:	1/18/2011
Approved by: Douglas Ewald		Date Prepared:	1/14/2011		Phone: 471-5700	
	FY 2011-2012		FY 2012-2013		FY 2013-2014	
	Expenditures	Revenue	Expenditures	Revenue	Expenditures	Revenue
General Funds						
Cash Funds						
Federal Funds						
Other Funds						
Total Funds			1.			
	<u> </u>					

LB 253 amends §77-6203 (the Nameplate Capacity Tax) to strike the provisions that allow the amount of property tax paid on a wind energy facility for years prior to 2010 that is in excess of the amount of Nameplate Capacity Tax would have been paid, to be taken as a credit against the Nameplate Tax levied for 2010 or subsequent years, until fully utilized.

If passed, the bill operates retroactively to January 1, 2010 and would apply to any wind energy facility commissioned before, on, or after July 15, 2010. The bill carries the emergency clause.

LB 253 is not expected to have an impact to the General Fund.

Departmental cost to implement LB 253 is expected to be minimal.

Major Objects of Expenditure							
Class Code	Classification Title	11-12 <u>FTE</u>	12-13 <u>FTE</u>	13-14 <u>FTE</u>	11-12 Expenditures	12-13 Expenditures	13-14 Expenditures
Benefits							
Operating Costs							
Capital Outlay							

RECEIVED

FISCAL NOTE LB253 Counties

JAN 18 2011

Prepared By Edwards, Jon Date Prepared 1/18/2011 Prepared Phone 402-434-5660

LEGISLATIVE FISCAL

Estimate Provided By State Agency or Political Subdivision

	FY 2011-2012		FY 2012-2013	
	Expenditures	Revenue	Expenditures	Revenue
General Funds				
Cash Funds				
Federal Funds				
Other Funds				
Total Funds				

Explanation of Estimate:

LB253 does not appear to have a fiscal impact on counties.

Major Objects of Expenditure

	Number of Positions		FY 2011-2012	FY <u>2012-2013</u>
Position Title	FY 2011-2012	FY 2012-2013	Expenditures	Expenditures
	_			
		Benefits		
		Operating		
		Travel		
		Capital outlay		
		Aid		
		Capital improvements		
		Total		

3