

FISCAL NOTE

LEGISLATIVE FISCAL ANALYST ESTIMATE

ESTIMATE OF FISCAL IMPACT – STATE AGENCIES (See narrative for political subdivision estimates)

	FY 2025-26		FY 2026-27	
	EXPENDITURES	REVENUE	EXPENDITURES	REVENUE
GENERAL FUNDS				
CASH FUNDS		See below		See below
FEDERAL FUNDS				
OTHER FUNDS				
TOTAL FUNDS		See below		See below

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

LB394 would make the following modifications to the the fee schedule under the Weights and Measure Act:

	Current		LB394	
	Min	Max	Min	Max
Scales				
Up through 35 pounds capacity	\$ 7.96	\$ 14.34	\$ 37.00	\$ 43.00
Multiunit Scales	\$ 51.00	\$ 80.37	\$ 169.00	\$ 196.00
Over 35 through 1,000 pounds ca	\$ 15.13	\$ 25.35	\$ 59.00	\$ 68.00
Over 1,000 through 4,000 pound	\$ 31.87	\$ 51.03	\$ 110.00	\$ 127.00
Over 4,000 through 50,000 pound	\$ 36.65	\$ 58.36	\$ 125.00	\$ 144.00
Over 50,000 through 150,000 pou	\$ 39.04	\$ 62.03	\$ 132.00	\$ 153.00
Over 150,000 pounds capacity	\$ 86.87	\$ 135.40	\$ 279.00	\$ 323.00
Length Measuring Devices:				
Cordage or fabric	\$ 16.56	\$ 27.55	\$ 63.00	\$ 73.00
Pumps				
Service Station Dispensers—per	\$ 5.09	\$ 9.94	\$ 28.00	\$ 32.00
High-capacity service station dis	\$ 17.52	\$ 29.02	\$ 66.00	\$ 77.00
Compressed natural gas—per di	\$ 91.65	\$ 142.74	\$ 294.00	\$ 340.00
Meters				
Vehicle tank meters	\$ 14.17	\$ 23.88	\$ 56.00	\$ 65.00
Loading rack meters	\$ 31.87	\$ 51.03	\$ 110.00	\$ 128.00
Liquid petroleum gas meters	\$ 40.00	\$ 63.50	\$ 135.00	\$ 157.00
Liquid fertilizer and herbicide m	\$ 36.65	\$ 58.36	\$ 125.00	\$ 145.00
Liquid feed meters	\$ 36.65	\$ 58.36	\$ 125.00	\$ 145.00
Cryogenic	\$ 53.39	\$ 84.04	\$ 176.00	\$ 204.00
Mass Flow Metering Systems:				
Mass flow meters (all liquid)	\$ 78.26	\$ 122.19	\$ 252.00	\$ 293.00
Electric vehicle chargers			\$ 294.00	\$ 340.00

No basis to disagree with revenue estimates as provided by the Department of Agriculture based upon their assumptions, however the fee set is up to the discretion of the Director of Agriculture. LB394 creates an additional fee on electric vehicle chargers.
Disagree with the Department's expenditure estimates as LB394 creates no additional duties. Any authority to expend revenue resulting from this legislation would be subject to the appropriations process.

ADMINISTRATIVE SERVICES STATE BUDGET DIVISION: REVIEW OF AGENCY & POLT. SUB. RESPONSE			
LB: 394	AM:	AGENCY/POLT. SUB: Nebraska Department of Agriculture	
REVIEWED BY: Joe Massey		DATE: 1/24/2025	PHONE: (402) 471-4181
COMMENTS: Concur with the Nebraska Department of Agriculture's assessment of impact from the transfer articulated in LB 394			

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

2025

LB⁽¹⁾ 394

FISCAL NOTE

State Agency OR Political Subdivision Name: ⁽²⁾ Nebraska Department of Agriculture

Prepared by: ⁽³⁾ Ashley Dempsey Date Prepared: ⁽⁴⁾ 1/21/2025 Phone: ⁽⁵⁾ 402-429-2487

ESTIMATE PROVIDED BY STATE AGENCY OR POLITICAL SUBDIVISION

	FY 2025-26		FY 2026-27	
	EXPENDITURES	REVENUE	EXPENDITURES	REVENUE
GENERAL FUNDS	(838,000)		(838,000)	
CASH FUNDS	838,000	838,000	838,000	838,000
FEDERAL FUNDS				
OTHER FUNDS				
TOTAL FUNDS	0	838,000	0	838,000

Explanation of Estimate:

The bill increases the ceiling for annual permit and inspection fees set by the Director each year on or before July 1.

The current statutory ceiling was last increased in 2003 and pursuant to the statutory formula, the fees have been at the maximum since July 1, 2023. The existing statutory fees were established so that the Weights and Measures Inspection Program costs were funded by approximately a 50/50 General Fund match with the fee revenues. The ceiling increase will allow fees to be set at a higher rate thereby decreasing the burden on the General Fund. The estimation provided here is based on setting the fees for July 1, 2025, at an amount sufficient to eliminate the General Fund from the program's budget for FY2025-26 and subsequent fiscal years.

BREAKDOWN BY MAJOR OBJECTS OF EXPENDITURE

Personal Services:

POSITION TITLE	NUMBER OF POSITIONS		2025-26	2026-27
	25-26	26-27	EXPENDITURES	EXPENDITURES
Benefits.....				
Operating.....				
Travel.....				
Capital outlay.....				
Aid.....				
Capital improvements.....				
TOTAL.....			0	0