

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				
FEDERAL FUNDS				
OTHER FUNDS				
TOTAL FUNDS				

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

LB831 makes the following amendments to the Noxious Weed Control Act:

- Adds to the Legislatures findings and declarations;
- Adds "restricted plants" to the act;
- Amends definitions under the act;
- Requires the Director of the Department of Agriculture to determine which plants are noxious weeds and which are restricted plants and sets guidelines;
- Creates a notice of control for restricted plants and places the duty of notification, remedy, and fines for violations to the local Weed Control Authority; and
- Sets fines at \$100/day up to a maximum of \$1,500 with fines being remitted to the noxious weed control fund of the local authority or to the county general fund if no local authority exists.

Any expenditures under the act would come from the local weed authorities. No basis to disagree with the estimates provided related to cost of the legislation from the Lancaster County Weed Authority, disagree with their interpretation that there is no provided revenue as LB831 provides for fines under Sec. 9 and mandates the fines collected be deposited to the "noxious weed control fund of the local authority or, if no weed control fund exists, to the county general fund." However, while there is a revenue mechanism for counties and local weed management authorities under the act, there is insufficient data for our office to provide an estimate of revenue or determine if such fines would be sufficient to offset the estimated costs.

No fiscal impact to the state of Nebraska.

ADMINISTRATIVE SERVICES STATE BUDGET DIVISION: REVIEW OF AGENCY & POLT. SUB. RESPONSE			
LB: 831	AM:	AGENCY/POLT. SUB: Department of Agriculture	
REVIEWED BY:	Jacob Leaver	DATE: 1/5/2024	PHONE: (402) 471-4173
COMMENTS: Concur with the Department of Agriculture's estimate of no fiscal impact to the agency as a result of LB 831.			

ADMINISTRATIVE SERVICES STATE BUDGET DIVISION: REVIEW OF AGENCY & POLT. SUB. RESPONSE			
LB: 831	AM:	AGENCY/POLT. SUB: Lancaster County Weed Authority	
REVIEWED BY:	Jacob Leaver	DATE: 1/10/2024	PHONE: (402) 471-4173
COMMENTS: The Lancaster County Weed Authority's estimated fiscal impact appears reasonable as a result of LB 831.			

ADMINISTRATIVE SERVICES STATE BUDGET DIVISION: REVIEW OF AGENCY & POLT. SUB. RESPONSE			
LB: 831	AM:	AGENCY/POLT. SUB: Nebraska Association of County Officials	
REVIEWED BY: Jacob Leaver	DATE: 1/10/2024	PHONE: (402) 471-4173	
COMMENTS: Concur with the Nebraska Association of County Officials' estimate of indeterminable fiscal impact as a result of LB 831.			

ADMINISTRATIVE SERVICES STATE BUDGET DIVISION: REVIEW OF AGENCY & POLT. SUB. RESPONSE			
LB: 831	AM:	AGENCY/POLT. SUB: Douglas County	
REVIEWED BY: Jacob Leaver	DATE: 1/19/2024	PHONE: (402) 471-4173	
COMMENTS: Concur with Douglas County's estimated fiscal impact as a result of LB 831.			

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

2024

LB⁽¹⁾ 831

FISCAL NOTE

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

Prepared by: ⁽³⁾ Ashley Dempsey Date Prepared: ⁽⁴⁾ 1/4/2023 Phone: ⁽⁵⁾ 402-429-2487

ESTIMATE PROVIDED BY STATE AGENCY OR POLITICAL SUBDIVISION

	<u>FY 2024-25</u>		<u>FY 2025-26</u>	
	<u>EXPENDITURES</u>	<u>REVENUE</u>	<u>EXPENDITURES</u>	<u>REVENUE</u>
GENERAL FUNDS	_____	_____	_____	_____
CASH FUNDS	_____	_____	_____	_____
FEDERAL FUNDS	_____	_____	_____	_____
OTHER FUNDS	_____	_____	_____	_____
TOTAL FUNDS	=====	=====	=====	=====

Explanation of Estimate:

No fiscal impact.

BREAKDOWN BY MAJOR OBJECTS OF EXPENDITURE

Personal Services:

<u>POSITION TITLE</u>	<u>NUMBER OF POSITIONS</u>		<u>2024-25</u>	<u>2025-26</u>
	<u>24-25</u>	<u>25-26</u>	<u>EXPENDITURES</u>	<u>EXPENDITURES</u>
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
Benefits.....	_____	_____	_____	_____
Operating.....	_____	_____	_____	_____
Travel.....	_____	_____	_____	_____
Capital outlay.....	_____	_____	_____	_____
Aid.....	_____	_____	_____	_____
Capital improvements.....	_____	_____	_____	_____
TOTAL.....	_____	_____	_____	_____

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2024

LB831⁽¹⁾ Change provisions of the Noxious Weed Control Act and provide for control of restricted plants

FISCAL NOTE

State Agency OR Political Subdivision Name: ⁽²⁾ Douglas County

Prepared by: ⁽³⁾ Mike Reed Date Prepared: ⁽⁴⁾ 1/19/2024 Phone: ⁽⁵⁾ 402-444-4583

ESTIMATE PROVIDED BY STATE AGENCY OR POLITICAL SUBDIVISION

	<u>FY 2024-25</u>		<u>FY 2025-26</u>	
	<u>EXPENDITURES</u>	<u>REVENUE</u>	<u>EXPENDITURES</u>	<u>REVENUE</u>
GENERAL FUNDS	<u>(\$96,104)</u>	<u>0</u>	<u>(\$98,026)</u>	<u>0</u>
CASH FUNDS	<u> </u>	<u> </u>	<u> </u>	<u> </u>
FEDERAL FUNDS	<u> </u>	<u> </u>	<u> </u>	<u> </u>
OTHER FUNDS	<u> </u>	<u> </u>	<u> </u>	<u> </u>
TOTAL FUNDS	<u>(\$96,104)</u>	<u>0</u>	<u>(\$98,026)</u>	<u>0</u>

Explanation of Estimate:

LB831 would have a **NEGATIVE (detrimental) fiscal impact** on Douglas County as no additional revenue is provided to counties to enforce the act. The additional cost estimate annually for Douglas County is \$96,104. This estimate includes administrative time at 10 hours weekly by the Noxious Weed Superintendent and County Attorney and the addition of one full-time staff with benefits. The full-time staff person is necessary to carry out inspections and job duties overseeing Douglas County’s plant nurseries, tree farms, and sod farms. This equates to hundreds of acres of inspections annually. Additionally, nursery point of sales stores like Lowes, Home Depot, Menards, Ace Hardware, Walmart, and Kaw Valley sell plants seasonally and would require inspection.

Note: The FY2025-26 expenditures account for a two percent cost of living increase.

BREAKDOWN BY MAJOR OBJECTS OF EXPENDITURE

Personal Services:

<u>POSITION TITLE</u>	<u>NUMBER OF POSITIONS</u>		<u>2024-25</u>	<u>2025-26</u>
	<u>24-25</u>	<u>25-26</u>	<u>EXPENDITURES</u>	<u>EXPENDITURES</u>
Superintendent/County Attorney	<u>2</u>	<u>2</u>	<u>\$39,320</u>	<u>\$40,106.40</u>
Full time staff	<u>1</u>	<u>1</u>	<u>\$56,784</u>	<u>\$57,919.68</u>
Benefits.....			<u> </u>	<u> </u>
Operating.....			<u> </u>	<u> </u>
Travel.....			<u> </u>	<u> </u>
Capital outlay.....			<u> </u>	<u> </u>
Aid.....			<u> </u>	<u> </u>
Capital improvements.....			<u> </u>	<u> </u>
TOTAL.....			<u> </u>	<u> </u>

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2024

LB⁽¹⁾ 831

FISCAL NOTE

State Agency OR Political Subdivision Name: ⁽²⁾ Lancaster County Weed Authority

Prepared by: ⁽³⁾ Brent Meyer Date Prepared: ⁽⁴⁾ 1/9/2024 Phone: ⁽⁵⁾ 402-441-7817

ESTIMATE PROVIDED BY STATE AGENCY OR POLITICAL SUBDIVISION

	<u>FY 2024-25</u>		<u>FY 2025-26</u>	
	<u>EXPENDITURES</u>	<u>REVENUE</u>	<u>EXPENDITURES</u>	<u>REVENUE</u>
GENERAL FUNDS	<u>\$75,565</u>	<u>\$0</u>	<u>\$77,832</u>	<u>\$0</u>
CASH FUNDS	<u> </u>	<u> </u>	<u> </u>	<u> </u>
FEDERAL FUNDS	<u> </u>	<u> </u>	<u> </u>	<u> </u>
OTHER FUNDS	<u> </u>	<u> </u>	<u> </u>	<u> </u>
TOTAL FUNDS	<u>\$75,565</u>	<u>\$0</u>	<u>\$77,832</u>	<u>\$0</u>

Explanation of Estimate:

LB 831 would have a negative fiscal impact on Lancaster County with no provided revenue to enforce the Noxious Weed Control Act. The cost estimate annually for Lancaster County is \$75,565. The cost estimate includes administrative time of 5 hours weekly by the Noxious Weed Superintendent and staff as well as the addition of one (1) full-time staff with benefits. The full-time staff person is necessary to carry out inspections and job duties overseeing Lancaster County’s plant nurseries, tree farms, and sod farms. This equates to hundreds of inspections annually. Additionally, nursery point of sales stores like Lowes, Home Depot, Menards, Ace Hardware, Walmart, as well as the nurseries selling plants seasonally and would require inspections.

Note: The FY2025-26 expenditures account for a three (3) percent cost of living increase.

BREAKDOWN BY MAJOR OBJECTS OF EXPENDITURE

Personal Services:

<u>POSITION TITLE</u>	<u>NUMBER OF POSITIONS</u>		<u>2024-25</u>	<u>2025-26</u>
	<u>24-25</u>	<u>25-26</u>	<u>EXPENDITURES</u>	<u>EXPENDITURES</u>
Superintendent & Staff	<u>1</u>	<u>1</u>	<u>\$13,546</u>	<u>\$13,952</u>
Full time staff	<u>1</u>	<u>1</u>	<u>\$41,361</u>	<u>\$42,602</u>
Benefits.....			<u>\$20,658</u>	<u>\$21,278</u>
Operating.....			<u> </u>	<u> </u>
Travel.....			<u> </u>	<u> </u>
Capital outlay.....			<u> </u>	<u> </u>
Aid.....			<u> </u>	<u> </u>
Capital improvements.....			<u> </u>	<u> </u>
TOTAL.....			<u>\$75,565</u>	<u>\$77,832</u>

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2024

LB⁽¹⁾ 831

FISCAL NOTE

State Agency OR Political Subdivision Name: ⁽²⁾ Nebraska Association of County Officials (NACO)

Prepared by: ⁽³⁾ Elaine Menzel Date Prepared: ⁽⁴⁾ 1/8/2024 Phone: ⁽⁵⁾ 402.434.5660

ESTIMATE PROVIDED BY STATE AGENCY OR POLITICAL SUBDIVISION

	<u>FY 2024-25</u>		<u>FY 2025-26</u>	
	<u>EXPENDITURES</u>	<u>REVENUE</u>	<u>EXPENDITURES</u>	<u>REVENUE</u>
GENERAL FUNDS	_____	_____	_____	_____
CASH FUNDS	_____	_____	_____	_____
FEDERAL FUNDS	_____	_____	_____	_____
OTHER FUNDS	_____	_____	_____	_____
TOTAL FUNDS	=====	=====	=====	=====

Explanation of Estimate:

LB 831 would add restricted plants to the Noxious Weed Act resulting in a possible significant increase of restricted plants that county weed superintendents would be required to monitor. Such an increase in the workload could necessitate additional weed department staffing. The overall fiscal impact is unknown but projected to increase for counties,

BREAKDOWN BY MAJOR OBJECTS OF EXPENDITURE

Personal Services:

<u>POSITION TITLE</u>	<u>NUMBER OF POSITIONS</u>		<u>2024-25</u>	<u>2025-26</u>
	<u>24-25</u>	<u>25-26</u>	<u>EXPENDITURES</u>	<u>EXPENDITURES</u>
Benefits.....	_____	_____	_____	_____
Operating.....	_____	_____	_____	_____
Travel.....	_____	_____	_____	_____
Capital outlay.....	_____	_____	_____	_____
Aid.....	_____	_____	_____	_____
Capital improvements.....	_____	_____	_____	_____
TOTAL.....	_____	_____	_____	_____