

PREPARED BY:
 DATE PREPARED:
 PHONE:

Mike Lovelace
 February 08, 2011
 471-0050

LB 442

Revision: 00

FISCAL NOTE
 LEGISLATIVE FISCAL ANALYST ESTIMATE

ESTIMATE OF FISCAL IMPACT – STATE AGENCIES *				
	FY 2011-12		FY 2012-13	
	EXPENDITURES	REVENUE	EXPENDITURES	REVENUE
GENERAL FUNDS				
CASH FUNDS	376,183	325,000	322,683	400,000
FEDERAL FUNDS				
OTHER FUNDS				
TOTAL FUNDS	376,183	325,000	322,683	400,000

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

LB 442 would adopt the Outdoor Outfitters and Guides Licensure Act.

The Game and Parks Commission would be responsible for administration and enforcement of the licensure process and compliance with its provisions. The Commission is allowed to charge a license fee as enumerated in the bill to offset their related expenses.

The fiscal impact is directly related to the number of outfitters and guides required to be licensed since this determines the amount of licensure revenue that will be raised and the workload that can be expected to administer/enforce the bill's provisions. The Game and Parks Commission has estimated that 500 licenses will be issued but indicate that the number is uncertain and could range from 250-1,000.

License fees are specified in sections 29 and 30 and range from \$450 to \$800 the first year and increase annually until 2015 when they reach a range of \$800 to \$1,500. The Commission estimated that licensure revenue may equal \$325,000 in FY11-12 and \$400,000 in FY12-13 based on an average license fee of \$650 the first year and \$800 the second year applied against 500 licenses issued each year. This revenue will be deposited into the Outdoor Outfitters and Guides Cash Fund.

The Game and Parks Commission envisions hiring 5.5 FTE to include 2-Conservation Officers, 1-Administrative Assistant and 5 half-time (2.5 FTE) Staff Assistants. The Conservation Officers and Staff Assistants would be located in the field and the Administrative Assistant would be in the Lincoln office to provide overall support. Salaries, benefits and related operating, travel and equipment costs are estimated by the Commission to total \$376,183 in FY11-12 and \$322,683 in FY12-13. This level of expenditures can be supported with the estimated license revenue. There is no basis to disagree with the Commission's estimates.

DEPARTMENT OF ADMINISTRATIVE SERVICES

REVIEWED BY	Cindy Miserez	2/8/11	PHONE 471-2526
COMMENTS			
GAME AND PARKS COMMISSION – I have no basis to disagree with agency's statement.			

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

LB ⁽¹⁾ 442 FISCAL NOTE

RECEIVED
FEB 07 2011
LEGISLATIVE

2011

State Agency OR Political Subdivision Name: ⁽²⁾ Game and Parks Commission

Prepared by: ⁽³⁾ Patrick H. Cole Date Prepared: ⁽⁴⁾ January 31, 2011 Phone: ⁽⁵⁾ (402) 471-5523

ESTIMATE PROVIDED BY STATE AGENCY OR POLITICAL SUBDIVISION

	FY 2011-2012		FY 2012-2013	
	EXPENDITURES	REVENUE	EXPENDITURES	REVENUE
GENERAL FUNDS				
CASH FUNDS	376,183	325,000	322,683	400,000
FEDERAL FUNDS				
OTHER FUNDS				
TOTAL FUNDS				

Return by date specified or 72 hours prior to public hearing, whichever is earlier.

Explanation of Estimate:

The proposed legislation would adopt the Outdoor Outfitters and Guides Licensure Act and requires the Nebraska Game and Parks Commission to administer it. The commission could adopt and promulgate rules and regulations to carry out the Act and would be responsible for developing application requirements and procedures, accepting applications, collecting fees, determining eligibility, issuing licenses, investigating complaints, revoking licenses and providing for review of denied or revoked permits. Due to the administrative/review requirements and anticipated numbers of applicants, additional staff will be required. It is estimated that at least two conservation officers (2FTE), a program coordinator (1 FTE) and support staff (5 0.5 FTE's) would be needed. The support staff and Conservation Officers would be assigned to district offices while the program coordinator would be in the central office in Lincoln.

Currently neither Outfitter nor Guides are licensed or registered in Nebraska. The number of individuals (guides) and businesses (outfitters) that this act would impact is unknown. The recreational activities that would be included involve fishing, hunting and navigation of waters. This would include canoe, kayak, tube and tank rental groups, Controlled Shooting Area operations, as well as more traditional hunting/fishing guide and outfitter services. Both guides and outfitters would need to be licensed and it appears that each outfitter would likely have at least one guide employed so one operation could be subject to two or more licenses. While exact numbers are not known, based on staff estimates and formal (CSA's) and informal records the potential number of licenses would be in the 250-1,000 range. The fee structure could impact and discourage smaller operators.

MAJOR OBJECTS OF EXPENDITURE

Personal Services

POSITION TITLE	NUMBER OF POSITIONS		2011-2012	2012-2013
	11-12	12-13	EXPENDITURES	EXPENDITURES
Conservation Officer	2	2	83,158	83,158
Administrative Assistant II	1	1	34,112	34,112
Staff Assistant I (5 @ 0.5 FTE)	2.5	2.5	66,040	66,040
Benefits.....			115,673	115,673
Operating.....				
Travel.....			3,500	3,500
Capital outlay.....			53,500	
Aid.....				
Capital improvements.....				
TOTAL.....			376,183	322,683

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

LB ⁽¹⁾ 442 FISCAL NOTE

The Outfitters and Guides Cash Fund is created to fund the program. License fees would be deposited in the fund. The license structure is based on the type of guiding/outfitting being conducted and whether or not the license is for a guide or an outfitter. Licenses are good for one year from the time of issuance. Those guides/outfitters involved in big game or big game fishing are the highest priced at \$800 for permits ending in 2012, \$950 for 2013, \$1,200 for 2014, and \$1,500 for 2015 and beyond. Those not involved in big game activities have a reduced fee structure of \$450/550 (guide/outfitter) for 2012, \$600/650 for 2013, \$750/800 for 2014 and \$800/1,000 for 2015 and beyond.

For estimate purposes only, it will be assumed that at least 500 licenses will be issued annually with an average fee of \$650 the first year (2012) and \$800 for the second (2013). Revenue projections with these assumptions would be \$325,000 for 2012 and \$400,000 for 2013.

The following estimates the expenditure needs for implementing the program:

	\$/HR	annual	FTE	wages PSL	OASDI	Retiremen t	Health Ins	Total
Conservation Officer	\$19.99	\$41,579.20	2	\$83,158.4 0	\$6,361.6 2	\$ 6,236.88	\$31,964.0 0	\$127,720.9 0
Program Coord (AAll)	\$16.40	\$34,112.00	1	\$34,112.0 0	\$2,609.5 7	\$ 2,558.40	\$15,982.0 0	\$ 55,261.97
Staff Assist I (5@0.5 FTE)	\$12.70	\$26,416.00	2.5	\$66,040.0 0	\$5,052.0 6	\$ 4,953.00	\$39,955.0 0	\$116,000.0 6
								\$298,982.9 3

Operating Expenses	YR 1	YR 2
postage/communications	\$ 3,200.00	\$ 3,200.00
Office supplies	\$ 500.00	\$ 500.00
Misc equipment/supplies	\$ 1,000.00	\$ 1,000.00
law enforcement (gun etc)	\$ 3,500.00	\$ 1,500.00
vehicle fuel	\$12,000.00	\$13,000.00
repair equipment		\$ 1,000.00
Travel expenses	\$ 3,500.00	\$ 3,500.00
Communication equip	\$ 3,500.00	
Computer equipment	\$ 3,000.00	
Office furniture	\$ 3,000.00	
vehicle	\$44,000.00	
	\$77,200.00	\$23,700.00

An A Bill would be requested for this legislation. While Conservation Officer expenses are normally covered by 15% General Funds, none are requested for these positions since they would be dedicated to activities associated with the Outfitters and Guides Program and paid from funds generated by the program.