

FISCAL NOTE
 LEGISLATIVE FISCAL ANALYST ESTIMATE

ESTIMATE OF FISCAL IMPACT – STATE AGENCIES (See narrative for political subdivision estimates)				
	FY 2019-20		FY 2020-21	
	EXPENDITURES	REVENUE	EXPENDITURES	REVENUE
GENERAL FUNDS	See below		See below	
CASH FUNDS	See below	See below	See below	See below
FEDERAL FUNDS				
OTHER FUNDS				
TOTAL FUNDS	See below	See below	See below	See below

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

LB 157 would amend sections of the Nebraska Apiary Act. Individuals owning or operating an apiary in the state would be permitted to register the location of their apiary and associated hive or hives with the Department of Agriculture. The department would be allowed to charge a reasonable fee to defray administrative costs. LB 157 also prohibits an owner of any commercial beekeeping operation to locate an apiary or hive less than three miles from any registered apiary or hive. Individuals who have registered an apiary would be allowed to bring an action for damages and relief under the provisions of the Nebraska Apiary Act.

In 2017, the USDA Agricultural Statistics Service estimated that there were 42,000 producing honey bee colonies in Nebraska. However, the breakdown of the number of colonies by owner is not available. Because LB 157 makes registration permissive, costs would be based upon the number of apiary owners or operators choosing to register with the Department of Agriculture. LB 157 does not specify a fund where administrative cost fees could be deposited, but if the State Apiary Cash Fund was used, the cash fund could then be expended by the Department of Agriculture. Because assessing the fee is permissive and not specified in LB 157, the actual amount of revenue that might be received cannot be estimated. The Department of Agriculture response does not include an estimate of potential fee revenue.

LB 157 does not specify that registrations must be renewed annually, so it is estimated that the primary costs to register apiaries would occur in FY19-20 and FY20-21. The Department of Agriculture estimates \$16,000 to \$20,000 in General Fund expenses annually, but it is not possible to determine if costs to this extent would actually occur. In addition, if a cash fund is specified for the deposit of fees, a portion of the expenses could be offset.

If registered apiary owners bring action against violators of the provisions of LB 157, the violators would also be subject to the punishments as provided under the Nebraska Apiary Act. In the event of such violations, there would be costs to the Department of Agriculture related to administrative hearings and potential court actions. Such expenses would occur only the event of a reported violation.

ADMINISTRATIVE SERVICES STATE BUDGET DIVISION: REVIEW OF AGENCY & POLT. SUB. RESPONSE			
LB: 157	AM:	AGENCY/POLT. SUB: Nebraska Department of Agriculture	
REVIEWED BY: Claire Oglesby	DATE: 1/23/19	PHONE: (402) 471-4174	
COMMENTS: No basis to disagree with Nebraska Department of Agriculture's fiscal note.			

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

2019

LB⁽¹⁾ 157

FISCAL NOTE

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

Prepared by: ⁽³⁾ Christina Barber Date Prepared: ⁽⁴⁾ 1/22/2019 Phone: ⁽⁵⁾ 402-471-6821

ESTIMATE PROVIDED BY STATE AGENCY OR POLITICAL SUBDIVISION

	<u>FY 2019-20</u>		<u>FY 2020-21</u>	
	<u>EXPENDITURES</u>	<u>REVENUE</u>	<u>EXPENDITURES</u>	<u>REVENUE</u>
GENERAL FUNDS	\$ 20,100		\$ 16,500	
CASH FUNDS				
FEDERAL FUNDS				
OTHER FUNDS				
TOTAL FUNDS	<u>\$ 20,100</u>		<u>\$ 16,500</u>	

Explanation of Estimate:

Due to the lack of registered apiaries, the location of the hives and who owns each of them as well as the purpose of the hives (i.e. commercial, hobbyist, etc.), the number of registrants is indeterminable. The Department estimates a need for a .25 FTE Staff Assistant for office tasks in support of this legislation. For the first year, salary and benefit costs are shown for 9 months. Additional expenses for the first year would include an estimate of \$8,000 for creating and maintaining a database, and \$2,000 for communication, outreach, and education costs.

BREAKDOWN BY MAJOR OBJECTS OF EXPENDITURE

Personal Services:

<u>POSITION TITLE</u>	<u>NUMBER OF POSITIONS</u>		<u>2019-20</u>	<u>2020-21</u>
	<u>19-20</u>	<u>20-21</u>	<u>EXPENDITURES</u>	<u>EXPENDITURES</u>
Staff Assistant	.18	.25	\$ 5,600	\$ 7,750
Benefits.....			\$ 4,500	\$ 6,250
Operating.....			\$ 10,000	\$ 2,500
Travel.....				
Capital outlay.....				
Aid.....				
Capital improvements.....				
TOTAL.....			<u>\$ 20,100</u>	<u>\$ 16,500</u>