

FISCAL NOTE
LEGISLATIVE FISCAL ANALYST ESTIMATE

ESTIMATE OF FISCAL IMPACT – STATE AGENCIES (See narrative for political subdivision estimates)				
	FY 2014-15		FY 2015-16	
	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.

LB 1002 would require, rather than permit, Commercial Dog and Cat Operator program inspectors to either impound dogs or cats, or to request that a local law enforcement officers undertake impoundment action, when there existed a significant threat to the health to the health and safety of the animals. The Department of Agriculture would also be required to apply for a restraining order or injunction against any person violating the act.

Any fiscal impact to the Department of Agriculture or local law enforcement authorities would depend upon the number of cases that required animals to be seized and impounded. Because the budget of the Commercial Dog and Cat Operator program does not currently include funding for impoundment expenses, it is estimated that absent any new funding sources, the Department would direct local law enforcement agencies to undertake the action. Actual costs to political subdivisions would depend upon the number of animals seized and the amount of veterinary care and related expenses required to care for and maintain the animals.

Because LB 1002 also directs the Department to apply for a restraining order or injunction against violators of the act and does not define the degree of severity of the violation, it is estimated that there may be increased legal expenses incurred by the agency. Because the Commercial Dog and Cat Operator program currently budgets for a .50 FTE attorney position, it is estimated that the existing staff could carry out this function.

ADMINISTRATIVE SERVICES-STATE BUDGET DIVISION: REVIEW OF AGENCY & POLT. SUB. RESPONSES			
LB: 1002	AM:	AGENCY/POLT. SUB: Nebraska Association of County Officials (NACO)	
REVIEWED BY: Cindy Miserez		DATE: 01/23/2014	PHONE: 402-471-4174
COMMENTS: That LB 1002 may or may not increase county proceedings is implied by the Nebraska Association of County Officials' statement of indeterminate fiscal impact. I have no basis to disagree with NACO's statement.			

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

2014

LB⁽¹⁾ 1002

FISCAL NOTE

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

Prepared by: ⁽³⁾ Robert Storant Date Prepared: ⁽⁴⁾ 02/20/2014 Phone: ⁽⁵⁾ 402-471-6821

ESTIMATE PROVIDED BY STATE AGENCY OR POLITICAL SUBDIVISION

	<u>FY 2014-15</u>		<u>FY 2015-16</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 1002 would make a change to current law related to enforcement of the Commercial Dog and Cat Operator Inspection Act. The bill inserts 'shall' in place of 'may' related to an inspector impounding dogs or cats or the department requesting any other law enforcement officer as defined in section 28-1008 to impound dogs or cats.

Also, the bill would require the department to apply for an injunction or restraining order every time there is a violation or threat to violate the act, rules and regulations or any order of the director. This would leave no discretion to the department for any type of violation, major or minor and the department will be required to ask the County Attorney or Attorney General to apply for an injunction or restraining order in every situation. If this is the intent, the potential for additional staff time related to this would be extensive.

The department makes the assumption that the focus and intent of this bill is subsection (2). The department has limited resources to fund program costs of the Commercial Dog and Cat Operator Inspection Act. The program is currently 100% funded through various license fees. The department does not have funding to contract for personnel to assist in impounding dogs and cats, transporting the animals or cost to house the animals. Depending on the course of legal action and the number of dogs or cats impounded in each case, the costs to the department for such action could be extensive. Expense will include boarding, transporting, veterinarian care and feeding the animals. If this would be a cost to the department, license fees would have to be increased or general funds appropriated to the program. This cost would vary from year to year and in each case animals are impounded. The bill does allow for the department to contact other law enforcement officials who most likely would be under similar budget constraints.

BREAKDOWN BY MAJOR OBJECTS OF EXPENDITURE

Personal Services:

<u>POSITION TITLE</u>	<u>NUMBER OF POSITIONS</u>		<u>2014-15</u>	<u>2015-16</u>
	<u>14-15</u>	<u>15-16</u>	<u>EXPENDITURES</u>	<u>EXPENDITURES</u>
_____	_____	_____	_____	_____
Benefits.....	_____	_____	_____	_____
Operating.....	_____	_____	_____	_____
Travel.....	_____	_____	_____	_____
Capital outlay.....	_____	_____	_____	_____
Aid.....	_____	_____	_____	_____
Capital improvements.....	_____	_____	_____	_____

TOTAL.....

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

2014

LB⁽¹⁾ 1002

FISCAL NOTE

State Agency OR Political Subdivision Name: ⁽²⁾

Nebraska Association of County Officials (NACO)

Prepared by: ⁽³⁾ Elaine Menzel

Date Prepared: ⁽⁴⁾ 1/122/2014

Phone: ⁽⁵⁾ 402.434.5660,
ext 225

ESTIMATE PROVIDED BY STATE AGENCY OR POLITICAL SUBDIVISION

	<u>FY 2014-15</u>		<u>FY 2015-16</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:

The fiscal impact of LB 1002 is indeterminate.

BREAKDOWN BY MAJOR OBJECTS OF EXPENDITURE

Personal Services:

<u>POSITION TITLE</u>	<u>NUMBER OF POSITIONS</u>		<u>2014-15 EXPENDITURES</u>	<u>2015-16 EXPENDITURES</u>
	<u>14-15</u>	<u>15-16</u>		
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
Benefits.....	_____	_____	_____	_____
Operating.....	_____	_____	_____	_____
Travel.....	_____	_____	_____	_____
Capital outlay.....	_____	_____	_____	_____
Aid.....	_____	_____	_____	_____
Capital improvements.....	_____	_____	_____	_____
TOTAL.....	_____	_____	_____	_____