

**FISCAL NOTE**  
 LEGISLATIVE FISCAL ANALYST ESTIMATE

<b>ESTIMATE OF FISCAL IMPACT – STATE AGENCIES</b> (See narrative for political subdivision estimates)				
	<b>FY 2019-20</b>		<b>FY 2020-21</b>	
	EXPENDITURES	REVENUE	EXPENDITURES	REVENUE
GENERAL FUNDS				
CASH FUNDS				
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.

This bill removes cannabidiol from the definition of marijuana and the controlled substances list.

The State Patrol indicates they do not have the proper equipment to quantitatively test if a substance is cannabidiol. The equipment would be a one-time cost of \$229,100 in FY 20. The Patrol's fiscal note also indicates a need for a forensic chemist at a cost of \$69,975 annually. Currently cannabidiol is being sold in Nebraska in retail stores. No prosecutions have taken place. Since this bill would legalize a product that is not being prosecuted, it is unclear why the provision in this bill would require the equipment.

<b>ADMINISTRATIVE SERVICES STATE BUDGET DIVISION: REVIEW OF AGENCY &amp; POLT. SUB. RESPONSE</b>			
<b>LB: 659</b>	<b>AM:</b>	<b>AGENCY/POLT. SUB: Nebraska State Patrol (064)</b>	
REVIEWED BY: Joe Wilcox	DATE: 02/12/2019	PHONE: (402) 471-4178	
COMMENTS: No basis to dispute the Nebraska State Patrol estimate of potential Fiscal Impact to the Agency from LB 659.			

<b>ADMINISTRATIVE SERVICES STATE BUDGET DIVISION: REVIEW OF AGENCY &amp; POLT. SUB. RESPONSE</b>			
<b>LB: 659 (025)</b>	<b>AM:</b>	<b>AGENCY/POLT. SUB: Nebraska Department of Health and Human Services</b>	
REVIEWED BY: Joe Wilcox	DATE: 02/13/2019	PHONE: (402) 471-4178	
COMMENTS: No basis to dispute the Nebraska Department of Health and Human Services (DHHS) estimate of No Fiscal Impact to the Agency from LB 659.			

<b>ADMINISTRATIVE SERVICES STATE BUDGET DIVISION: REVIEW OF AGENCY &amp; POLT. SUB. RESPONSE</b>			
<b>LB: 659</b>	<b>AM:</b>	<b>AGENCY/POLT. SUB: Nebraska Supreme Court (005)</b>	
REVIEWED BY: Joe Wilcox	DATE: 02/13/2019	PHONE: (402) 471-4178	
COMMENTS: No basis to dispute the Nebraska Supreme Court estimate of No Fiscal Impact to the Agency from LB 659.			

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

**2019**

**LB<sup>(1)</sup> 659**

**FISCAL NOTE**

State Agency OR Political Subdivision Name: <sup>(2)</sup> Nebraska State Patrol

Prepared by: <sup>(3)</sup> Carol Aversman Date Prepared: <sup>(4)</sup> 2-10-19 Phone: <sup>(5)</sup> 402-471-4545

**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	\$299,075		\$69,975	
CASH FUNDS				
FEDERAL FUNDS				
OTHER FUNDS				
<b>TOTAL FUNDS</b>	<u>\$299,075</u>		<u>\$69,975</u>	

**Explanation of Estimate:**

LB 659 changes the criminal code concerning cannabidiol such that it would require law enforcement to perform quantification testing to determine if a substance qualified as cannabidiol. The Nebraska State Patrol Forensic Laboratory is not currently equipped or staffed to perform quantification testing as outlined within LB 659.

This type of testing is not currently possible with existing equipment. Current best forensic testing methods would require the use of a LC/MS, Liquid Chromatograph/Mass Spectrometer at a cost of \$225,000 in fiscal year 2019/2020. We would also require one additional forensic chemist at an estimated cost of \$69,975 (Salary and benefits). Additional capital outlay costs of \$4,100 would be required in the first year of the biennium to cover computer equipment costs and a workstation for the additional staff.

Facility expansion costs will likely be necessary, but are not included in this fiscal note.

**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>
State Patrol Forensic Scientist	1	1	\$51,833	\$51,833
Benefits.....			\$18,142	\$18,142
Operating.....				
Travel.....				
Capital outlay.....			\$229,100	
Aid.....				
Capital improvements.....				
<b>TOTAL.....</b>			<u>\$299,075</u>	<u>\$69,975</u>

**ESTIMATE PROVIDED BY STATE AGENCY OR POLITICAL SUBDIVISION**

State Agency or Political Subdivision Name:(2) Department of Health and Human Services

Prepared by: (3) Mike Michalski

Date Prepared 1-28-19

Phone: (5) 471-6719

	<u>FY 2019-2020</u>		<u>FY 2020-2021</u>	
	<u>EXPENDITURES</u>	<u>REVENUE</u>	<u>EXPENDITURES</u>	<u>REVENUE</u>
<b>GENERAL FUNDS</b>				
<b>CASH FUNDS</b>				
<b>FEDERAL FUNDS</b>				
<b>OTHER FUNDS</b>				
<b>TOTAL FUNDS</b>	\$0	\$0	\$0	\$0

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

**Explanation of Estimate:**

There is no fiscal impact to the Department of Health and Human Services.

**MAJOR OBJECTS OF EXPENDITURE**

**PERSONAL SERVICES:**

POSITION TITLE	NUMBER OF POSITIONS		2019-2020 EXPENDITURES	2020-2021 EXPENDITURES
	19-20	20-21		
Benefits.....				
Operating.....				
Travel.....				
Capital Outlay.....				
Aid.....				
Capital Improvements.....				
<b>TOTAL.....</b>			\$0	\$0

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

2019

LB<sup>(1)</sup> 659

FISCAL NOTE

State Agency OR Political Subdivision Name: <sup>(2)</sup> 05 Supreme Court

Prepared by: <sup>(3)</sup> Eric Asboe Date Prepared: <sup>(4)</sup> 2/13/19 Phone: <sup>(5)</sup> 1-4138

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	_____	_____	_____	_____
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>2019-20</u>	<u>2020-21</u>
	<u>19-20</u>	<u>20-21</u>	<u>EXPENDITURES</u>	<u>EXPENDITURES</u>
Benefits.....	_____	_____	_____	_____
Operating.....	_____	_____	_____	_____
Travel.....	_____	_____	_____	_____
Capital outlay.....	_____	_____	_____	_____
Aid.....	_____	_____	_____	_____
Capital improvements.....	_____	_____	_____	_____
TOTAL.....	_____	_____	_____	_____