

FISCAL NOTE
LEGISLATIVE FISCAL ANALYST ESTIMATE

ESTIMATE OF FISCAL IMPACT – STATE AGENCIES (See narrative for political subdivision estimates)				
	FY 2022-23		FY 2023-24	
	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.

LB981 would reinstate the Trail Development Assistance Act that had terminated January 1, 2010. This act would be under the administration of the Game and Parks Commission. Additionally, legislative intent is expressed to:

- Transfer \$15 million from the General Fund to the Trail Development Assistance Fund (TDAF) in FY23.
- Direct the Game and Parks Commission to use \$750,000 annually from the TDAF beginning in FY23 for ongoing maintenance of designated “rail-trails”.

The Game and Parks Commission fiscal note provides estimated expenditures related to carrying out the intent expressed by the bill. The bill in its current form has no fiscal impact as only intent to transfer General Funds is expressed. Further, the reinstatement of the act in itself does not require new expenditures.

ADMINISTRATIVE SERVICES STATE BUDGET DIVISION: REVIEW OF AGENCY & POLT. SUB. RESPONSE			
LB: 981	AM:	AGENCY/POLT. SUB: Game and Parks Commission	
REVIEWED BY: Jacob Leaver	DATE: 1/20/2022	PHONE: (402) 471-4173	
COMMENTS: Disagree with the Game and Parks Commission’s fiscal impact to the agency as a result of LB 981. Stated within in the bill, “it is the intent of the Legislature that fifteen million dollars be transferred from the General Fund...”, which would be no fiscal impact to the Game and Parks Commission. Technical Note: There would be a negative General Fund Revenue of \$15 million stated since the funds are being transferred from the General Fund.			

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2022

LB⁽¹⁾ 981 – Trail Development Act and funding

FISCAL NOTE

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

Prepared by: ⁽³⁾ Patrick H. Cole Date Prepared: ⁽⁴⁾ 1/14/2022 Phone: ⁽⁵⁾ 402-471-5523

ESTIMATE PROVIDED BY STATE AGENCY OR POLITICAL SUBDIVISION

	<u>FY 2022-23</u>		<u>FY 2023-24</u>	
	<u>EXPENDITURES</u>	<u>REVENUE</u>	<u>EXPENDITURES</u>	<u>REVENUE</u>
GENERAL FUNDS				
CASH FUNDS	<u>750,000</u>	<u>15,000,000</u>	<u>750,000</u>	
FEDERAL FUNDS				
OTHER FUNDS				
TOTAL FUNDS	<u><u>750,000</u></u>	<u><u>15,000,000</u></u>	<u><u>750,000</u></u>	

Explanation of Estimate:

The proposed legislation would reinstate the Trail Development Assistance Act and Trail Development Assistance Fund which were terminated in 2010. A transfer of \$15,000,000 from the General Fund to the Trail Development Assistance (TDA) Fund in fiscal year 2022-23 is intended. The Game and Parks Commission would be able to use \$750,000 annually from the TDA fund for ongoing maintenance of designated rail-trails, assuming an appropriate A bill were accompanying.

The Trail Development Assistance Act is covered in Nebraska statutes 37-1001 to 37-1008 but only sections 37-1001 and 37-1003 are changed in the proposed legislation. The prescribed changes to 37-1003 would appear to focus the funding and Act to activities of maintaining designated rail-trails which is presumably focused at the Cowboy Trail (an NGPC owned/managed rail-trail). No specific definitions are provided but our assumptions are based on discussions with bill proponents.

Following the presumed intent/focus, sections 37-1004 (grant funding provisions) and 37-1005 (administrative costs, presumably of a grant program) would not be applicable to the Fund and funding as laid out in the proposed changes to 37-1003. The identified use of intended funds is thus targeted to development, operation and maintenance of the Cowboy Trail. Clarifying language would solidify this interpretation or could alter this interpretation and approach.

As interpreted the funding would be applied as follows:

BREAKDOWN BY MAJOR OBJECTS OF EXPENDITURE

Personal Services:

<u>POSITION TITLE</u>	<u>NUMBER OF POSITIONS</u>		<u>2022-23</u>	<u>2023-24</u>
	<u>22-23</u>	<u>23-24</u>	<u>EXPENDITURES</u>	<u>EXPENDITURES</u>
Park Supt II (FTE)	<u>1</u>		<u>44,855</u>	<u>44,855</u>
Temporary Park Supt I	<u>2</u>		<u>46,285</u>	<u>46,285</u>
Benefits.....			<u>38,365</u>	<u>38,365</u>
Operating.....			<u>317,695</u>	<u>336,295</u>
Travel.....			<u>15,000</u>	<u>10,000</u>
Capital outlay.....			<u>76,000</u>	<u>50,000</u>
Aid.....				
Capital improvements.....			<u>211,800</u>	<u>224,200</u>
TOTAL.....			<u><u>750,000</u></u>	<u><u>750,000</u></u>

Positions: A Park Superintendent II (FTE) would be hired to manage the temporary staff and all operations along the trail. This position would be located either at the Norfolk district office, Bassett office or in Valentine. The position would supervise temporary staff, build community partnerships, manage marketing and communications regarding trail, and oversee all operational and development of Cowboy Trail. Two additional temporary park superintendent I's would be hired to assist the two existing temporary staff. Oftentimes the existing two temporary staff who are located on opposite sides of the trail must come together as a team to do operational projects. The addition of two staff would allow for all of the two person jobs to be done simultaneously and ensure the safety of our staff. The two additional temporary staff would be in place for 31 weeks of the year from end of March to the end of October (one in Bassett and one at Willow Creek SRA) to work daily on trail maintenance, repair and development.

Benefits: include health insurance, OASDI and retirement.

Operating: The operating budget would include chemicals for weed spraying, contracts for noxious weed control, surfacing materials, fencing materials, culvert materials, bridge decking and hand rail materials, fuel for equipment, hand tools, safety equipment for staff, computers/phones for staff, rent/utilities for offices, OCIO costs, software licenses, IT supplies, clothing, printing and publication costs, conference registrations, contracts for resurfacing and other minor repairs for the trail, equipment repairs, building repairs, office supplies, and engineering contractual services. These operating costs should cover most expenses dealing with maintaining and operating the Cowboy Trail.

Travel: Includes travel expenses for two FTE (Park Superintendent II and Recreational Trails Manager) for two trainings within the fiscal year, their time traveling across the trail (5% of Rec Trails Manager's position, 10% of Park Superintendent II's position), travel of four (two are existing employee positions) PTEs (Temporary Park Superintendent Is) across the trail.

Capital Outlay: Includes a truck for the permanent employee (\$60,000), earthwork attachments for existing equipment (\$16,000) in the first fiscal year and a compact track loader or tractor in the second fiscal year.

Aid: This is left at \$0 because there is not the intent to pass through grants to other communities since the Cowboy Trail is owned and operated by NGPC.

Capital Improvements: Includes \$65,000 specific to fencing (per statute), funds for major bridge renovation and/or replacement, culvert replacement, trail development, maintenance storage facilities along the trail, and major existing building renovations along the trail (roof replacements, foundation work...etc.).