

# FISCAL NOTE

LEGISLATIVE FISCAL ANALYST ESTIMATE

ESTIMATE OF FISCAL IMPACT – STATE AGENCIES (See narrative for political subdivision estimates)					
EXPENDITURES	GENERAL	CASH	FEDERAL	REVOLVING	TOTAL
FY2025-2026	0	0	0	0	0
FY2026-2027	(107,729)	0	0	0	(107,729)
FY2027-2028	(107,732)	0	0	0	(107,732)
FY2028-2029	(107,732)	0	0	0	(107,732)
REVENUE	GENERAL	CASH	FEDERAL	REVOLVING	TOTAL
FY2025-2026	0	0	0	0	0
FY2026-2027	0	(180,000)	0	0	(180,000)
FY2027-2028	0	(180,000)	0	0	(180,000)
FY2028-2029	0	(180,000)	0	0	(180,000)

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

LB760 would amend 81-502 to strike the request for inspection of Mobile home parks to the State Fire Marshal be from the Department of Water, Energy, and Environment (DWEE) and replace with a local government.

LB760 would make the following amendments to the Environmental Safety Act:

- Strike 81-15,292 from being included in the Environment Safety Act and repeal that section;
- Amend the findings of the Legislature in 81-15,262 to include a statement that, "Experience with the administration of these programs demonstrates that they are carried out most effectively through coordinated partnerships between the state and local governments.";
- Add a definition for local government;
- Strike duties for DWEE to develop safety requirements for swimming pools, adds a duty for DWEE to approve plans and specifications of swimming pools prior to construction, and allows for local governments to adopt minimum sanitary and safety requirements for the equipment and operation of swimming pools;
- Strike the application for a permit to be submitted to DWEE and strikes the requirement for swimming pools to have equipment and operation as in compliance with DWEE;
- Allow for local governments which exercises jurisdiction over a swimming pool to inspect swimming pools to ensure compliance with requirements established by the local government;
- Maintain the issuance of construction permits and associated fees for review of plans, strikes the annual renewal licensure fees, strikes other fees being remitted to the Environmental Safety Cash Fund;
- Require pool operators to maintain a certificate of competency for swimming pools and requires DWEE to maintain a list of acceptable pool operator competency courses, strikes the department establishing and collecting fees for certificates of competency for swimming pool operators and the collection and remittance of fees to the Environmental Safety Cash Fund;
- Create penalties for failure to maintain a certificate of competency as required by 81-,15,268 or failing to comply with minimum sanitary and safety standards established by the local government with jurisdiction over such swimming pools to enforcement and penalty as established by local government, strikes prior penalties;
- Strike a duty for DWEE to make at least one annual inspection of a recreation camp, creates permission for a local government which has jurisdiction over a recreation camp to make inspections of the camp, requires local governments to give notice to camp operators for failures in health and safety inspections;
- Permit local governments to suspend operations of recreation camps under their jurisdiction;
- Strike authority of DWEE to revoke camp permits;
- Strike duty of DWEE to establish health and safety standards of recreation camps and issue permits, permits local governments to adopt health and safety standards of recreation camps;
- Shift enforcement of violations and penalties from the state to local governments;
- Strike duties of DWEE to create minimum health and safety standards for mobile home parks, creates permission for local governments to set minimum health and safety standards for mobile home parks;
- Shift enforcement of violations of minimum health and safety standards of mobile home parks from the state to local governments of jurisdictions; and
- Permit local governments to request the State Fire Marshal to inspect for fire safety of any mobile park which a local government has jurisdiction over.

The Department of Water, and Energy and Environment's estimates for reduced cash fund expenditures and reduced cash fund revenues appears reasonable. Any increase in cost to local government would be contingent upon local governments opting to regulate swimming pools, recreation camps, and mobile home parks.

ADMINISTRATIVE SERVICES STATE BUDGET DIVISION: REVIEW OF AGENCY & POLT. SUB. RESPONSE		
LB: 760	AM:	AGENCY/POLT. SUB: Department of Water, Energy, and Environment
REVIEWED BY: Taten Raml	DATE: 1/16/2026	PHONE: (531) 310-4102
COMMENTS: Concur with the Department of Water, Energy, and Environment's assessment of fiscal impact from LB760.		

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

**2026**

**LB<sup>(1)</sup> 760**

**FISCAL NOTE**

State Agency OR Political Subdivision Name: <sup>(2)</sup> Department of Water, Energy, and Environment

Prepared by: <sup>(3)</sup> Isabella Peterson Date Prepared: <sup>(4)</sup> 1/15/2026 Phone: <sup>(5)</sup> 402-471-2186

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

	<u>FY 2026-27</u>		<u>FY 2027-28</u>	
	<u>EXPENDITURES</u>	<u>REVENUE</u>	<u>EXPENDITURES</u>	<u>REVENUE</u>
GENERAL FUNDS				
CASH FUNDS	<u>(107,729)</u>	<u>(180,000)</u>	<u>(107,732)</u>	<u>(180,000)</u>
FEDERAL FUNDS				
OTHER FUNDS				
TOTAL FUNDS	<u>(107,729)</u>	<u>(180,000)</u>	<u>(107,732)</u>	<u>(180,000)</u>

**Explanation of Estimate:**

LB760 proposes amendments to the Environmental Safety Act, Neb. Rev. Stat. §§ 81-15,261 to 81-15,292, and transfers certain regulatory authorities related to swimming pools, recreation camps, and mobile home parks from the Department of Water, Energy, and Environment (Department) to local governments (county, city, or village) that have jurisdiction over such facilities. The bill proposes to eliminate the Environmental Safety Cash Fund, as the Department would no longer collect revenues from issuing or renewing licenses and permits, nor conduct annual inspections of such facilities under this proposal, shown as a reduction in revenues. Additionally, Department staff would no longer conduct evaluations of domestic water supplies and onsite wastewater treatment systems upon request under the Well and Septic Loan Evaluation Program. This bill is expected to have a fiscal impact on the agency in reduced cash fund revenues. While the agency will no longer have access to such revenues, the agency has already taken steps to reduce one FTE in this category and would not expect further reductions as a result of this bill. As such, those personnel currently supporting these functions will now be able to prioritize other required inspections that are General Funded and have been under resourced such as food safety inspections required for public schools, daycares, and senior centers across the state.

**BREAKDOWN BY MAJOR OBJECTS OF EXPENDITURE**

**Personal Services:**

<u>POSITION TITLE</u>	<u>NUMBER OF POSITIONS</u>		<u>2026-27</u>	<u>2027-28</u>
	<u>26-27</u>	<u>27-28</u>	<u>EXPENDITURES</u>	<u>EXPENDITURES</u>
Environmental Health Scientist	<u>1</u>	<u>1</u>	<u>(62,648)</u>	<u>(62,650)</u>
Benefits.....			<u>(20,047)</u>	<u>(20,048)</u>
Operating.....			<u>(25,034)</u>	<u>(25,035)</u>
Travel.....				
Capital outlay.....				
Aid.....				
Capital improvements.....				
TOTAL.....			<u>(107,729)</u>	<u>(107,732)</u>

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

**2026**

**LB<sup>(1)</sup> 760**

**FISCAL NOTE**

State Agency OR Political Subdivision Name: <sup>(2)</sup> Nebraska Association of County Officials (NACO)

Prepared by: <sup>(3)</sup> Elaine Menzel Date Prepared: <sup>(4)</sup> 1/13/2026 Phone: <sup>(5)</sup> 402.434.5660

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

	<u>FY 2026-27</u>		<u>FY 2026-27</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:

LB760 shifts authority for regulating mobile home parks, swimming pools and recreational camps from the state to local governments.

County authority is permissive; therefore, the fiscal impact cannot be determined.

**BREAKDOWN BY MAJOR OBJECTS OF EXPENDITURE**

**Personal Services:**

<u>POSITION TITLE</u>	<u>NUMBER OF POSITIONS</u>		<u>2026-27</u>	<u>2027-28</u>
	<u>26-27</u>	<u>27-28</u>	<u>EXPENDITURES</u>	<u>EXPENDITURES</u>
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
Benefits.....			_____	_____
Operating.....			_____	_____
Travel.....			_____	_____
Capital outlay.....			_____	_____
Aid.....			_____	_____
Capital improvements.....			_____	_____
TOTAL.....			_____	_____