

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	SEE BELOW	0	0	0	SEE BELOW
FY2027-2028	SEE BELOW	0	0	0	SEE BELOW
FY2028-2029	SEE BELOW	0	0	0	SEE BELOW
REVENUE	GENERAL	CASH	FEDERAL	REVOLVING	TOTAL
FY2025-2026	0	0	0	0	0
FY2026-2027	0	0	0	0	0
FY2027-2028	0	0	0	0	0
FY2028-2029	0	0	0	0	0

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

LB807 would make the following amendments to the Noxious Weed Control Act:

- Shift administration of the act from the Department of Agriculture to the Department of Water, Energy, and Environment (DWEE);
- Strike reference to the Nebraska Hemp Farming Act; and
- Increase the intent for appropriation for the act from \$3,000,000 to \$6,000,000 in FY2026-27.

Agree with the Department of Agriculture and DWEE's estimate for cash fund revenue loss/gain and cash fund appropriation reduction/gain in their respective agencies. Current General Fund appropriation for aid to Riparian Vegetation Management is \$353,000. If funded to intent, the impact would be \$5,647,000 General Funds per fiscal year. No basis to disagree that an increase in state aid may increase administrative cost.

Sec. 6 of LB807 would amend the Water Resources Cash Fund to expressly prohibit the use of the fund for state agency administration. It has been the practice of this office to interpret use of a cash fund as requiring express authority for a permitted use, and this creates a prohibition on a practice that is not expressly authorized. If the Water Resources Cash Fund is used for administrative costs, it is reasonable to assume some level of General Fund appropriation would be necessary to supplant cash fund usage.

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

2026

LB⁽¹⁾ 807

FISCAL NOTE

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

Prepared by: ⁽³⁾ Kevin Shearman Date Prepared: ⁽⁴⁾ 1/8/2026 Phone: ⁽⁵⁾ 402-580-1451

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	<u>(353,000)</u>	<u></u>	<u>(353,000)</u>	<u></u>
CASH FUNDS	<u>(473,043)</u>	<u>(409,284)</u>	<u>(494,805)</u>	<u>(409,284)</u>
FEDERAL FUNDS	<u></u>	<u></u>	<u></u>	<u></u>
OTHER FUNDS	<u></u>	<u></u>	<u></u>	<u></u>
TOTAL FUNDS	<u>(826,043)</u>	<u>(409,284)</u>	<u>(847,805)</u>	<u>(409,284)</u>

Explanation of Estimate:

The bill takes away all of the Department of Agriculture's responsibilities under the Noxious Weed Control Act and gives them to the Department of Water, Energy, and Environment. These responsibilities have been performed by NDA since 1989 and include establishing which plants are noxious weeds and monitoring the county control authorities. Additionally, the housing of the Riparian Vegetation Management Task Force would move to DWEE and DWEE would administer grant programs under the Act.

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>
Agriculture Program Manager	<u>1</u>	<u>1</u>	<u>(76,130)</u>	<u>(78,430)</u>
Agriculture Inspection Specialist II	<u>3</u>	<u>3</u>	<u>(170,830)</u>	<u>(175,990)</u>
Benefits.....			<u>(108,676)</u>	<u>(120,630)</u>
Operating.....			<u>(28,462)</u>	<u>(29,031)</u>
Travel.....			<u>(88,945)</u>	<u>(90,724)</u>
Capital outlay.....			<u></u>	<u></u>
Aid.....			<u>(353,000)</u>	<u>(353,000)</u>
Capital improvements.....			<u></u>	<u></u>
TOTAL.....			<u>(826,043)</u>	<u>(847,805)</u>

ADMINISTRATIVE SERVICES STATE BUDGET DIVISION: REVIEW OF AGENCY & POLT. SUB. RESPONSE			
LB: 807	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 LB807.			

ADMINISTRATIVE SERVICES STATE BUDGET DIVISION: REVIEW OF AGENCY & POLT. SUB. RESPONSE			
LB: 807	AM:	AGENCY/POLT. SUB: Department of Agriculture	
REVIEWED BY: Taten Raml		DATE: 1/16/2026	PHONE: (531) 310-4102
COMMENTS: Concur with the Department of Agriculture's assessment of fiscal impact from LB807.			

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

2026

LB⁽¹⁾ 807

FISCAL NOTE

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

Prepared by: ⁽³⁾ Kevin Stoner Date Prepared: ⁽⁴⁾ 1/12/2026 Phone: ⁽⁵⁾ 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	<u>\$2,353,000</u>	<u></u>	<u>\$2,353,000</u>	<u></u>
CASH FUNDS	<u>\$409,284</u>	<u>\$409,284</u>	<u>\$409,284</u>	<u>\$409,284</u>
FEDERAL FUNDS	<u></u>	<u></u>	<u></u>	<u></u>
OTHER FUNDS	<u></u>	<u></u>	<u></u>	<u></u>
TOTAL FUNDS	<u>\$2,762,284</u>	<u>\$409,284</u>	<u>\$2,762,284</u>	<u>\$409,284</u>

Explanation of Estimate:

Sec. 1 through 5 of the bill transfers administration of the Noxious Weed Control Act from the Department of Agriculture (NDA) to the Department of Water, Energy, and Environment (DWEE). These responsibilities include establishing which plants are noxious weeds and monitoring the county control authorities. NDA has historically provided administrative infrastructure and subject matter expertise from its other plant health programs at no additional cost to the noxious weed program as other positions within NDA support the program. Efficiencies created by the subject matter expertise would be lost if the program is transferred to DWEE. NDA currently administers this program with 4 FTEs. With the current cash revenues of \$409,000, DWEE staffing position equivalents could support 2.5 FTEs (one Environmental Supervisor FTE and one and a half Environmental Specialist II FTEs) unless additional revenues are identified.

The bill also transfers the Riparian Vegetation Management Task Force to DWEE for administrative and budgetary purposes, including administration of a grant program funded through the Noxious Weed and Invasive Plant Species Assistance Fund to support local control authorities and weed management entities in addressing noxious and invasive plant species. The bill increases the annual appropriation from \$3 million to \$6 million beginning in fiscal year 2026-27. It is our understanding that the program is not currently funded, meaning no fiscal impact is shown for this particular increase. This increased appropriation may lead to additional grants being issued and a corresponding administrative cost, which is undeterminable at this time, and would be calculated when costs are determined.

	<u>FY 2026-27</u>		<u>FY 2027-28</u>	
	<u>Expenditures</u>	<u>Revenue</u>	<u>Expenditures</u>	<u>Revenue</u>
General Funds	\$353,000		\$353,000	
Cash Funds	\$409,284	\$409,284	\$409,284	\$409,284

Sec. 6 of the bill prohibits the use of the Water Resources Cash Fund for administrative expenses or salaries of state agencies. The Water Resources Cash Fund totals approximately \$2,000,000 in administrative expenses and salaries for the agency, for a total of 18 FTEs.

	<u>FY 2026-27</u>		<u>FY 2027-28</u>	
	<u>Expenditures</u>	<u>Revenue</u>	<u>Expenditures</u>	<u>Revenue</u>
General Funds	\$2,000,000		\$2,000,000	
Cash Funds				

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>
IT App Developer (A07011)	1	1	\$63,503	\$65,408
Environmental Specialist II	6.5	6.5	\$367,345	\$378,365
Environmental Specialist III	6	6	\$400,183	\$412,188
Environmental Supervisor	6	6	\$484,118	\$499,947
Environmental Manager	1	1	\$125,519	\$129,284
Benefits.....			\$467,142	\$473,388
Operating.....			\$412,529	\$359,980
Travel.....			\$88,945	\$90,724
Capital outlay.....				
Aid.....			\$353,000	\$353,000
Capital improvements.....				
TOTAL.....			\$2,762,284	\$2,762,284