

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	0	(19,743)	0	0	(19,743)
FY2027-2028	0	(20,138)	0	0	(20,138)
FY2028-2029	0	(20,138)	0	0	(20,138)
REVENUE	GENERAL	CASH	FEDERAL	REVOLVING	TOTAL
FY2025-2026	0	0	0	0	0
FY2026-2027	0	742,762	0	0	742,762
FY2027-2028	0	742,762	0	0	742,762
FY2028-2029	0	742,762	0	0	742,762

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

LB947 would make amendments to the Noxious Weed Cash Fund, Plant Protection and Plant Pest Act, Nebraska Potato Development Act, Pesticide Act, and duties of the Department of Agriculture related to the Weeds of the Great Plains publication.

- Strikes eligible use of the Noxious Weed Cash Fund fund for administration of the Nebraska Hemp Farming Act;
- Makes the following amendments to the Plant Protection and Plant Pest Act:
 - Strikes the requirement to increase or decrease the assessment of fees via rules and regulations;
 - Requires inspection time to be determined on any portion of a whole hour;
 - Strikes “license fees” and replaces with “fees”, and increases the floor of applicable fees to be due on January 1, 2027. Fees due on January 1, 2028 may be set by the Director on or before July 1 on each year, but below or at the cap;
 - Amends the fee schedule under the act as follows:

Fees Current floor Current Cap

Nursery stock distributor license for the first acre \$115 \$140

Fee for additional acres \$5 \$6

Distributing without obtaining a nursery stock distributor license fee 25% of the fee per month up to 100% of the license fee

Certification fee for nursery stock growing acres as set forth in section 2-1095 Included in license fee

Late applications for certification of nursery stock growing acres \$24/hr, \$.42/mile \$27/hr, \$.50/mile

Reinspection or requested inspections for nursery stock \$24/hr, \$.42/mile \$27/hr, \$.50/mile

Phytosanitary or
export certificates set forth in section 2-1091 \$30/certificate and \$7/taking an application by telephone

Phytosanitary or
export certificate
inspections and
reinspection \$24/hr, \$.42/mile \$27/hr, \$.50/mile

European corn borer
quarantine
certification license set forth in section 2-
1091 \$50/license annually \$65/license annually

European corn borer
certificate \$6.25/packet of 25 \$10/packet of 25

Quarantine
compliance
agreements as set forth in 2-1091 \$50/agreement annually \$65/agreement annually

Quarantine
compliance
agreement
inspections and
reinspection \$24/hr, \$.42/mile \$27/hr, \$.50/mile

Fees Assessed January 1, 2027 Cap of assessment on January 1, 2028

Nursery stock
distributor license for the first acre \$140 \$180

Fee for additional
acres \$39 \$50

Distributing without
obtaining a nursery stock distributor license fee
25% of the fee per month up to 100% of the license fee

Certification fee for
nursery stock
growing acres as set forth in section
2-1095 Struck Struck

Inspection fees due
under section 2-
1091 or 2-1095 \$39/hour, \$.70/mile \$50/hour, \$1/mile

Reinspection or
requested
inspections for
nursery stock Struck Struck

Phytosanitary or
export certificates
set forth in section
2-1091 \$60/certificate \$106/certificate

Phytosanitary or
export certificate
inspections and
reinspection Struck Struck

European corn
borer quarantine
certification license
set forth in section
2-1091 \$65/license \$80/license

European corn
borer certificate \$25/packet of 25 \$35/packet of 25

Quarantine
compliance
agreements as set
forth in 2-1091 \$65/agreement annually \$80/agreement annually

Quarantine
compliance
agreement
inspections and
reinspection Struck Struck

- Terminates the Nebraska Potato Development Fund on July 1, 2026, and transfers any money in the fund to the Plant Protection and Plant Pest Cash Fund as soon as administratively practicable;
- Makes the following amendment to the fees collected under the Pesticide Act:
 - Increases the overall cap for pesticide registration fee from \$210 to \$250; and
 - Increases the distribution to the Noxious Weed Cash Fund from \$30 to \$50.
- Makes the Weeds of the Great Plains publication permissive upon the Department of Agriculture;
- Transfers the fund balance of the Weed Book Cash Fund to the Noxious Weed Cash Fund on January 1, 2027; and
- Declares an emergency.

No basis to disagree with the Department's estimates for cash fund revenue increase and cash fund expenditure decrease.

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2026

LB⁽¹⁾ 947

FISCAL NOTE

State Agency OR Political Subdivision Name: ⁽²⁾

Department of Agriculture

Prepared by: ⁽³⁾ Kevin Shearman

Date Prepared: ⁽⁴⁾ 1/9/2026

Phone: ⁽⁵⁾ 402-580-1451

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>(19,743)</u>	<u>742,762</u>	<u>(20,138)</u>	<u>742,762</u>
FEDERAL FUNDS				
OTHER FUNDS				
TOTAL FUNDS	<u>(19,743)</u>	<u>742,762</u>	<u>(20,138)</u>	<u>742,762</u>

Explanation of Estimate:

This bill increases fees under the Plant Protection and Plant Pest Act and the Pesticide Act to allow the programs to continue operations and offset program reliance on General Funds.

The fees under the Plant Protection and Plant Pest Act are being raised as follows:

	Current Base	LB947 Base	Current Cap	LB947 Cap
Nursery License	\$115.00	\$140.00	\$140.00	\$180.00
Additional Acres	\$5.00	\$39.00	\$6.00	\$50.00
Inspection Fee	\$24.00	\$39.00	\$27.00	\$50.00
Mileage	\$0.42	\$0.70	\$0.50	\$1.00
Phyto Certificates	\$30.00	\$60.00	\$40.00	\$106.00
ECB Quarantine Certificates	\$50.00	\$65.00	\$65.00	\$80.00
ECB Certificates	\$6.25	\$25.00	\$10.00	\$35.00
Compliance Agreements	\$50.00	\$65.00	\$65.00	\$80.00

Under the bill the pesticide product registration fee would increase from \$160 to \$200 and raise the cap of the registration fee to \$250. The bill provides an additional \$20 to the Noxious Weed Cash Fund, and an additional \$20 dollars to the Pesticide Administrative Cash Fund.

The bill also strikes the department's authority to publish the Weeds of the Great Plains book and eliminates the associated Weed Book Cash Fund, transferring the funds of approximately \$30,000 to the Noxious Weed Cash Fund, reducing expenditures by \$19,743 for FY 26-27 and \$20,138 for FY 27-28, as well as reducing revenue by \$8,244 for both FY 26-27 and FY 27-28.

The bill further transfers the remainder of the Nebraska Potato Development Fund to the Plant Protection and Plant Pest Cash Fund. Under current statute, the Nebraska Potato Development Act and the associated Cash Fund are set to terminate on July 1, 2026.

BREAKDOWN BY MAJOR OBJECTS OF EXPENDITURE

Personal Services:

POSITION TITLE	NUMBER OF POSITIONS		2026-27	2027-28
	<u>26-27</u>	<u>27-28</u>	<u>EXPENDITURES</u>	<u>EXPENDITURES</u>
Benefits.....				
Operating.....			(19,743)	(20,138)
Travel.....				
Capital outlay.....				
Aid.....				
Capital improvements.....				
TOTAL.....			(19,743)	(20,138)

ADMINISTRATIVE SERVICES STATE BUDGET DIVISION: REVIEW OF AGENCY & POLT. SUB. RESPONSE		
LB: 947	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 LB947.		