

FISCAL NOTE
 LEGISLATIVE FISCAL ANALYST ESTIMATE

ESTIMATE OF FISCAL IMPACT – STATE AGENCIES *				
	FY 2010-11		FY 2011-12	
	EXPENDITURES	REVENUE	EXPENDITURES	REVENUE
GENERAL FUNDS				
CASH FUNDS				
FEDERAL FUNDS				
OTHER FUNDS				
TOTAL FUNDS				

*Does not include any impact on political subdivisions. See narrative for political subdivision estimates.

LB 1019 creates a process to be used to resolve a dispute a county board may have with a natural resources district regarding the alignment or right-of-way acquisition of a proposed recreational trail. The county board is given the authority to create a trails dispute board with two members appointed by the county, two members appointed by the natural resources district, and three members appointed by the Governor from a list of persons provided by the State Highway Commission. The trails dispute board is to appoint a mediator to help resolve the dispute, but if this is unsuccessful, the board is given the authority to settle the dispute after at least one public hearing is held.

All expenses incurred by the trails dispute board, including the cost of hiring a mediator, are to be shared jointly by the county board and the natural resources district. The passage of LB 1019 in and of itself will not have a fiscal impact since it only gives the authority to create a trails dispute board. However, if this authority is invoked by a county board the county board and the involved natural resources district will incur costs.

Fiscal note requests were sent to a sample that included Lancaster County, the Lower Platte South NRD, and the Papio-Missouri River NRD. To paraphrase their responses, **Lancaster County** indicated that the cost would be determined on a case by case basis and would include publication costs and hiring a mediator. These additional costs would be paid for with property taxes since there is no allowance for additional revenue to cover these new costs. **The Lower Platte South NRD** indicated, if the provision for the dispute board is exercised, there would be new costs for hiring a mediator and for operating and administrative costs for dispute board members and staff that could total \$25,000. Implementation of the mediated solution or the decision of the dispute board could increase or decrease costs for trail design, right-of-way purchase, construction and operation from the original trail plan. The **Papio-Missouri NRD** indicates any fiscal impact cannot be determined at this time.

There would be no fiscal impact on state agencies.

DEPARTMENT OF ADMINISTRATIVE SERVICES

REVIEWED BY	Cindy Miserez	DATE	1/27/10	PHONE	471-2526
COMMENTS					
LANCASTER COUNTY: I have no basis to dispute Lancaster County estimate. Meeting expenses, including travel, agendas, meeting minutes, staff time will need to be funded.					
LOWER PLATTE SOUTH NATURAL RESOURCES DISTRICT: I have no basis to dispute LPS NRD's estimate.					
PAPIO-MISSOURI RIVER NATURAL RESOURCES DISTRICT: Papio Missouri River NRD may incur expense if the county board convenes a trail dispute board.					
DEPARTMENT OF ROADS: I have no basis to dispute the Department of Road's estimate.					