

**FISCAL NOTE**  
 LEGISLATIVE FISCAL ANALYST ESTIMATE

<b>ESTIMATE OF FISCAL IMPACT – STATE AGENCIES (See narrative for political subdivision estimates)</b>				
	<b>FY 2014-15</b>		<b>FY 2015-16</b>	
	<b>EXPENDITURES</b>	<b>REVENUE</b>	<b>EXPENDITURES</b>	<b>REVENUE</b>
GENERAL FUNDS	See below		See below	
CASH FUNDS				
FEDERAL FUNDS				
OTHER FUNDS				
TOTAL FUNDS	See below		See below	

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

LB 1005 would eliminate the Interrelated Water Review Board and establish the Surface Water and Ground Water Review Board. The board would be given the authority to adopt review and approve ground and surface water usage and conservation, to issue and review all new and existing water well permits, to identify statewide priorities and water management activities, and to report annually to the legislature. The Board would be authorized to hold hearings and make determinations regarding basin-wide management plans and integrated management plans.

It is estimated that there would be costs to the Department of Natural Resources to provide funding for meeting-related expenses and to provide administrative support and technical information to the board. Because the Department currently carries out functions that would be supervised by the board, the extent of increased costs that could become necessary due to board directives and actions cannot be estimated at this time. It is estimated that costs would come from the General Fund.

The expenses to natural resources districts might also vary if the board adopted basin-wide management plans or integrated management plans that differed from plans currently implemented by the districts.

<b>ADMINISTRATIVE SERVICES-STATE BUDGET DIVISION: REVIEW OF AGENCY &amp; POLT. SUB. RESPONSES</b>			
LB: 1005	AM:	AGENCY/POLT. SUB: Nebraska Game & Parks Commission and the Nebraska Environmental Trust Board	
REVIEWED BY: Cindy Miserez		DATE: 01/31/2014	PHONE: 402-471-4174
COMMENTS: I concur with the Nebraska Game & Parks Commission and the Nebraska Environmental Trust Board statement that the fiscal impact of LB1005 may include meeting expense and is not readily determinable.			

<b>ADMINISTRATIVE SERVICES-STATE BUDGET DIVISION: REVIEW OF AGENCY &amp; POLT. SUB. RESPONSES</b>			
LB: 1005	AM:	AGENCY/POLT. SUB: Lower Platte South Natural Resource District	
REVIEWED BY: Cindy Miserez		DATE: 01/30/2014	PHONE: 402-471-4174
COMMENTS: The Lower Platte South Natural Resource District finds the fiscal impact of LB1005 to be indeterminable.			

<b>ADMINISTRATIVE SERVICES-STATE BUDGET DIVISION: REVIEW OF AGENCY &amp; POLT. SUB. RESPONSES</b>			
LB: 1005	AM:	AGENCY/POLT. SUB: Nebraska Department of Natural Resources	
REVIEWED BY: Cindy Miserez		DATE: 01/29/2014	PHONE: 402-471-4174
COMMENTS: The Nebraska Department of Natural Resources finds the fiscal impact of LB1005 to be indeterminable.			

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

**2014**

**LB<sup>(1)</sup> 1005**

**FISCAL NOTE**

State Agency OR Political Subdivision Name: <sup>(2)</sup>

Nebraska Game and Parks Commission & NETB

Prepared by: <sup>(3)</sup> Patrick H. Cole

Date Prepared: <sup>(4)</sup> 1/29/2014

Phone: <sup>(5)</sup> (402) 471-5523

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

	<u>FY 2014-15</u>		<u>FY 2015-16</u>	
	<u>EXPENDITURES</u>	<u>REVENUE</u>	<u>EXPENDITURES</u>	<u>REVENUE</u>
GENERAL FUNDS	_____	_____	_____	_____
CASH FUNDS	_____	_____	_____	_____
FEDERAL FUNDS	_____	_____	_____	_____
OTHER FUNDS	_____	_____	_____	_____
<b>TOTAL FUNDS</b>	<b>=====</b>	<b>=====</b>	<b>=====</b>	<b>=====</b>

**Explanation of Estimate:**

The proposed legislation would eliminate The Interrelated Water Review Board and establish The Surface Water and Ground Water Review Board (Board). This new board would consist of the following individuals (or their designee) Director of Natural Resources, chairman of the Nebraska Game and Parks Commission, and members appointed by the Governor consisting of a member of the Nebraska Environmental Trust Board, one representative from each of municipalities, natural resource districts, and irrigators, and a certified hydrologist. Additionally the Governor can appoint three members (one from each congressional district with water-related experience) of his/her choosing. Members shall serve four-year terms not to exceed three terms.

The board is to represent the state in all water-related issues and shall adopt and promulgate rules and regulations related to standards of review and procedures for unified management and development of surface water and ground water. Standards and review shall be applicable to all water-related decisions, including integrated management plans and interstate compacts and decrees in the State of Nebraska. The board is also directed to provide annual reports related to its actions.

The broad review and approval authorities conveyed to the board will necessitate a number of meetings and public hearings throughout the year. While some actions have defined time lines for action, no specific hearing schedule is identified so it is difficult to estimate the amount of travel and associated expenses that would be incurred. It is also unclear as to who will be responsible for covering travel expenses of the board members and whether or not they would be eligible for any per diem type payments.

Continued.....

**BREAKDOWN BY MAJOR OBJECTS OF EXPENDITURE**

**Personal Services:**

<u>POSITION TITLE</u>	<u>NUMBER OF POSITIONS</u>		<u>2014-15 EXPENDITURES</u>	<u>2015-16 EXPENDITURES</u>
	<u>14-15</u>	<u>15-16</u>		
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
Benefits.....	_____	_____	_____	_____
Operating.....	_____	_____	_____	_____
Travel.....	_____	_____	_____	_____
Capital outlay.....	_____	_____	_____	_____
Aid.....	_____	_____	_____	_____
Capital improvements.....	_____	_____	_____	_____
<b>TOTAL.....</b>	<b>_____</b>	<b>_____</b>	<b>_____</b>	<b>_____</b>

Two of the board members identified could have an effect on the Nebraska Game and Parks Commission (Commission); the chairman of the Nebraska Game and Parks Commission (or his/her designee) and a member of the Environmental Trust Board. The latter has an effect due to the 'administrative' positioning of the Nebraska Environmental Trust Board (NETB) under the Game and Parks Commission within the state's budget process.

If expenses are covered by an agency other than the Commission or NETB, there would not be a fiscal impact to the Commission/NETB. If each member's agency/affiliation is expected to cover their respective expenses, the fiscal impact would depend upon the number of hearings/meetings held each year, their location and thus travel expenses (e.g. mileage, lodging, food), the amount of communication necessary between meetings (postage, phone etc), and any necessary supplies and materials to carry out the functions. Since none of these are clearly identified in the proposed legislation, a fiscal impact is not readily determinable.

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

**2014**

**LB<sup>(1)</sup> 1005**

**FISCAL NOTE**

State Agency OR Political Subdivision Name: <sup>(2)</sup>

Lower Platte South NRD

Prepared by: <sup>(3)</sup> Glenn D. Johnson

Date Prepared: <sup>(4)</sup> 1-29-14

Phone: <sup>(5)</sup> 402-476-2729

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

	<u>FY 2014-15</u>		<u>FY 2015-16</u>	
	<u>EXPENDITURES</u>	<u>REVENUE</u>	<u>EXPENDITURES</u>	<u>REVENUE</u>
GENERAL FUNDS	_____	_____	_____	_____
CASH FUNDS	_____	_____	_____	_____
FEDERAL FUNDS	_____	_____	_____	_____
OTHER FUNDS	_____	_____	_____	_____
<b>TOTAL FUNDS</b>	<b>=====</b>	<b>=====</b>	<b>=====</b>	<b>=====</b>

**Explanation of Estimate:**

The extent and type of costs, if any, to the Natural Resources District would be related to the requirement to implement and enforce ground water controls adopted by the Surface Water and Ground Water Review Board, which controls are undefined in the Legislation.

**BREAKDOWN BY MAJOR OBJECTS OF EXPENDITURE**

**Personal Services:**

<u>POSITION TITLE</u>	<u>NUMBER OF POSITIONS</u>		<u>2014-15</u>	<u>2015-16</u>
	<u>14-15</u>	<u>15-16</u>	<u>EXPENDITURES</u>	<u>EXPENDITURES</u>
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
Benefits.....	_____	_____	_____	_____
Operating.....	_____	_____	_____	_____
Travel.....	_____	_____	_____	_____
Capital outlay.....	_____	_____	_____	_____
Aid.....	_____	_____	_____	_____
Capital improvements.....	_____	_____	_____	_____
<b>TOTAL.....</b>	<b>_____</b>	<b>_____</b>	<b>_____</b>	<b>_____</b>

2014

FISCAL NOTE

LB<sup>(1)</sup> 1005

State Agency OR Political Subdivision Name: (2)

Department of Natural Resources

Prepared by: Ron Theis (3)

Date Prepared: 1/22/14 (4)

Phone: 402 471 0577 (5)

ESTIMATE PROVIDED BY STATE AGENCY OR POLITICAL SUBDIVISION

	FY 2014-15		FY 2015-16	
	EXPENDITURES	REVENUE	EXPENDITURES	REVENUE
GENERAL FUNDS				
CASH FUNDS				
FEDERAL FUNDS				
OTHER FUNDS				
TOTAL FUNDS				

Explanation of Estimate:

DNR cannot accurately estimate the bill’s impact upon agency budget and operating costs for the following reasons.

The bill removes the §46-718 authority of the Interrelated Water Review Board and creates instead the 10 member Surface Water and Ground Water Review Board (Board) with authorities superior to those under which the DNR currently operates. Among others, the Board must promulgate rules and regulations for carrying out its duties that would require DNR compliance. Without more information on how the Board’s various authorities would be operationalized through rule and regulation and relate to remaining DNR authorities, DNR lacks sufficient information to reasonably estimate the bill’s impact upon agency budget and operating costs.

BREAKDOWN BY MAJOR OBJECTS OF EXPENDITURE

Personal Services:

POSITION TITLE	NUMBER OF POSITIONS		2014-15	2015-16
	14-15	15-16	EXPENDITURES	EXPENDITURES
Benefits.....				
Operating.....				
Travel.....				
Capital outlay.....				
Aid.....				
Capital improvements.....				
TOTAL.....				