

FISCAL NOTE
LEGISLATIVE FISCAL ANALYST ESTIMATE

ESTIMATE OF FISCAL IMPACT – STATE AGENCIES (See narrative for political subdivision estimates)				
	FY 2015-16		FY 2016-17	
	EXPENDITURES	REVENUE	EXPENDITURES	REVENUE
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 393 would allow the Director of Agriculture to commission licensed veterinarians as animal cruelty investigation agents. The director would be allowed to determine the number and classification of agents, but would be required to provide training to any individuals who were appointed as animal cruelty investigation agents. Agents would be paid \$150 per day by the law enforcement agency to whom they are assigned.

Because LB 393 does not require the appointment of animal cruelty investigation agents, the exact cost would depend upon administrative decisions by the director, the number of agents chosen, and the type of training chosen for the individuals appointed as agents. It is estimated that training costs would come from the General Fund.

The Department of Agriculture estimate assumes that the agency would hire an additional veterinarian to administer the program and to carry out duties when animal cruelty agents are not available. The increased costs to operate the program would not appear to be necessary, as LB 393 does not mandate the appointment of agents, and subsection (4) of Section 5 of LB 393 clarifies that the provisions of Section 5 shall not be construed to require or authorize the director to assume any duties or responsibilities for enforcement of the Livestock Animal Welfare Act beyond existing responsibilities.

ADMINISTRATIVE SERVICES-STATE BUDGET DIVISION: REVIEW OF AGENCY & POLT. SUB. RESPONSES			
LB: 393	AM:	AGENCY/POLT. SUB: Nebraska Department of Agriculture	
REVIEWED BY: Cindy Miserez		DATE: 02/20/2015	PHONE: 402-471-4174
COMMENTS: The Nebraska Department of Agriculture's statement of fiscal impact for LB393 appears reasonable. A cash fund for deposit of the new fee is not identified in the bill. The Nebraska Department of Agriculture did not identify an estimate of the cash fund fiscal impact but states that it would be used to offset expenses of the new duties assigned to the department. The fee is paid by law enforcement agencies.			

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

2015

LB⁽¹⁾ 393

FISCAL NOTE

State Agency OR Political Subdivision Name: ⁽²⁾

Department of Agriculture

Prepared by: ⁽³⁾ Robert Storant

Date Prepared: ⁽⁴⁾ 02/19/2015

Phone: ⁽⁵⁾ 402-471-6821

ESTIMATE PROVIDED BY STATE AGENCY OR POLITICAL SUBDIVISION

	<u>FY 2015-16</u>		<u>FY 2016-17</u>	
	<u>EXPENDITURES</u>	<u>REVENUE</u>	<u>EXPENDITURES</u>	<u>REVENUE</u>
GENERAL FUNDS	<u>174,000</u>	<u> </u>	<u>128,565</u>	<u> </u>
CASH FUNDS	<u> </u>	<u> </u>	<u> </u>	<u> </u>
FEDERAL FUNDS	<u> </u>	<u> </u>	<u> </u>	<u> </u>
OTHER FUNDS	<u> </u>	<u> </u>	<u> </u>	<u> </u>
TOTAL FUNDS	<u>174,000</u>	<u> </u>	<u>128,565</u>	<u> </u>

Explanation of Estimate:

LB 393 amends the Livestock Animal Welfare Act. Section 5 of the bill provides the Department may commission investigation agent(s) who shall be licensed veterinarians trained and certified to be cruelty investigation agents. The commissioned agents shall be agents of the State and covered under the State Tort Claims Act. The agent(s) shall be available to local law enforcement agencies to advise and assist in the examination, assessment, care, collection of evidence and disposition of livestock animals.

The Department currently receives 12-15 contacts per year of livestock animal neglect, with no statutory authority. Once counties, citizens and others are aware of the Department's authority under this bill, it is projected the case workload can be 100 or more cases per year. The bill requires the agent(s) to be licensed veterinarians. The bill provides for agents who shall be paid \$150.00 per day plus expenses. It will be difficult to find local veterinarians and ask them to take time from their practice to be trained, provide this service and be present for any follow-up legal proceedings.

For these reasons the fiscal note is based on the premise of the Department hiring an additional Agriculture Field Veterinarian, for a total of six located throughout the State. The new person and the five existing field veterinarians would all be trained and certified to conduct cruelty investigations. They are currently located throughout the State. First year cost would include the hiring of a veterinarian, provide training cost for all six field veterinarians, and provide a vehicle, computer and other capital needs for this person. Training cost is projected at approximately \$8,000 per individual. Since the bill does not have an emergency clause, the first year personal service cost is approximately 75%. Ongoing cost would be the cost of the additional FTE, operating and travel cost. The role the department is to advise and assist local law enforcement and not burden the Department in the care or disposition of animals. The daily fee assessed the local law enforcement agency plus expenses would partially offset some of the cost.

BREAKDOWN BY MAJOR OBJECTS OF EXPENDITURE

Personal Services:

<u>POSITION TITLE</u>	<u>NUMBER OF POSITIONS</u>		<u>2015-16</u>	<u>2016-17</u>
	<u>15-16</u>	<u>16-17</u>	<u>EXPENDITURES</u>	<u>EXPENDITURES</u>
<u>Agriculture Veterinary Field Officer</u>	<u>.75</u>	<u>1.0</u>	<u>60,000</u>	<u>81,900</u>
<u>Benefits.....</u>			<u>21,000</u>	<u>28,665</u>
<u>Operating.....</u>			<u>53,000</u>	<u>5,000</u>
<u>Travel.....</u>			<u>10,000</u>	<u>10,000</u>
<u>Capital outlay.....</u>			<u>30,000</u>	<u>3,000</u>

Aid.....
Capital improvements.....
TOTAL.....

174,000

128,565