

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 2349-01
Bill No.: SB 534
Subject: Agriculture and Animals; Environmental Protection; Natural Resources Dept.
Type: Original
Date: February 28, 2007

Bill Summary: Modifies the law relating to concentrated animal feeding operations (CAFOs) and the penalties for offenses perpetrated by these operations.

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2008	FY 2009	FY 2010
Total Estimated Net Effect on General Revenue Fund	\$0	\$0	\$0

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2008	FY 2009	FY 2010
Natural Resources Protection Water Pollution Permit Fee	\$0 to (\$13,160)	\$0 to (\$16,266)	\$0 to (\$16,754)
Total Estimated Net Effect on Other State Funds	\$0 to (\$13,160)	\$0 to (\$16,266)	\$0 to (\$16,754)

Numbers within parentheses: () indicate costs or losses.

This fiscal note contains 5 pages.

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2008	FY 2009	FY 2010
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)			
FUND AFFECTED	FY 2008	FY 2009	FY 2010
Total Estimated Net Effect on FTE	0	0	0

Estimated Total Net Effect on All funds expected to exceed \$100,000 savings or (cost).

Estimated Net Effect on General Revenue Fund expected to exceed \$100,000 (cost).

ESTIMATED NET EFFECT ON LOCAL FUNDS			
FUND AFFECTED	FY 2008	FY 2009	FY 2010
Local Government	\$0	\$0	\$0

FISCAL ANALYSIS

ASSUMPTION

Officials from the **State Treasurer's Office, Department of Health & Senior Services, Department of Agriculture** and **Office of State Courts Administrator** assume no fiscal impact to their agencies.

Officials from the **Department of Natural Resources** assume for purposes of this fiscal note, the department estimates that there are twelve (12) site specific CAFO permits per year that would not meet the 90-day deadline and would therefore have to be published according to this proposal. The average cost for one classified column is estimated to be \$1,316 over ten days. Therefore, the anticipated fiscal impact from the publication provisions in this would be up to \$15,792 annually. If the intent of this proposal is to require that a display ad be published the cost would be increased significantly, as much as 5 times the estimated fiscal impact. The average cost of a display ads is \$6,630 per publication or \$79,562 annually.

The proposed publication provision is an additional requirement in the permitting process that was not considered at the time the fee structure was developed.

As the Department continues to make improvements to the permitting process, it is possible that the number of instances that require publishing would decrease thereby reducing the potential fiscal impact from this proposal.

Officials from the **Attorney General's Office** did not respond to our request for a fiscal impact from their agency.

FISCAL IMPACT - State Government

FY 2008
(10 Mo.)

FY 2009

FY 2010

**NATURAL RESOURCES
 PROTECTION WATER
 POLLUTION PERMIT FEE FUND**

Cost - Department of Natural Resources

Publishing in Newspapers	<u>\$ 0 to (\$13,160)</u>	<u>\$0 to (\$16,266)</u>	<u>\$0 to (\$16,754)</u>
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**NET ESTIMATED EFFECT ON
 NATURAL RESOURCES
 PROTECTION POLLUTION
 PERMIT FEE FUND**

<u>\$0 to (\$13,160)</u>	<u>\$0 to (\$16,266)</u>	<u>\$0 to (\$16,754)</u>
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FISCAL IMPACT - Local Government

FY 2008 (10 Mo.)	FY 2009	FY 2010
<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

FISCAL IMPACT - Small Business

No direct fiscal impact to small businesses would be expected as a result of this proposal.

FISCAL DESCRIPTION

The proposed legislation modify the law relating to concentrated animal feeding operations (CAFO's) and the penalties for offenses perpetrated by these operations and may have an effect on other state funds.

This legislation is not federally mandated, would not duplicate any other program and would not require additional capital improvements or rental space.

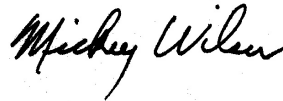
SOURCES OF INFORMATION

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Department of Agriculture
Office of State Courts Administrator
Department of Natural Resources
Office of Prosecuting Attorneys
Department of Health
State Treasurer's Office

NOT RESPONDING

Attorney General's Office

A handwritten signature in black ink that reads "Mickey Wilson". The signature is written in a cursive style with a large, prominent "M" and "W".

Mickey Wilson, CPA

Director
February 28, 2007