

**FISCAL NOTE**  
**Requested by Legislative Council**  
01/13/2009

Bill/Resolution No.: HB 1338

1A. **State fiscal effect:** *Identify the state fiscal effect and the fiscal effect on agency appropriations compared to funding levels and appropriations anticipated under current law.*

	2007-2009 Biennium		2009-2011 Biennium		2011-2013 Biennium	
	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds
<b>Revenues</b>						
<b>Expenditures</b>			\$348,000		\$348,000	
<b>Appropriations</b>						

1B. **County, city, and school district fiscal effect:** *Identify the fiscal effect on the appropriate political subdivision.*

2007-2009 Biennium			2009-2011 Biennium			2011-2013 Biennium		
Counties	Cities	School Districts	Counties	Cities	School Districts	Counties	Cities	School Districts

2A. **Bill and fiscal impact summary:** *Provide a brief summary of the measure, including description of the provisions having fiscal impact (limited to 300 characters).*

HB 1338 would establish a landfill siting board with membership from the State Health Department (2 positions), state engineer and state geologist. The board would review relevant information, conduct 2 public hearings and make a decision on the appropriate location for a landfill.

**B. Fiscal impact sections:** *Identify and provide a brief description of the sections of the measure which have fiscal impact. Include any assumptions and comments relevant to the analysis.*

The bill does not differentiate between the different types of landfills and therefore is assumed to include private, public municipal waste landfills; inert landfills and industrial landfills.

Section 2 which would require participation on a landfill siting board would have the greatest fiscal impact. Technical review, data collection and review-response to public comments would require significant time for each of the involved agencies. Assume 1 month salary per landfill site application, legal representation up to \$5,000; and up to 3 landfill applications per year (6 per biennium) if all landfill types are included. The actual number of permits may be more or less depending upon the year.

3. **State fiscal effect detail:** *For information shown under state fiscal effect in 1A, please:*

**A. Revenues:** *Explain the revenue amounts. Provide detail, when appropriate, for each revenue type and fund affected and any amounts included in the executive budget.*

**B. Expenditures:** *Explain the expenditure amounts. Provide detail, when appropriate, for each agency, line item, and fund affected and the number of FTE positions affected.*

We assumed the following in preparing this fiscal note:

Assume:

\$9,500 per agency employee (4) per landfill application (9,500 x 4 x 6 = 228,000)

\$5,000 legal fees per agency (3) per landfill application (5,000 x 3 x 6 = 90,000)

Non state member compensation and travel expenses for all members (30,000)

3 landfill applications per year

3 agencies, 4 state agency employees involved.

C. **Appropriations:** *Explain the appropriation amounts. Provide detail, when appropriate, for each agency and fund affected. Explain the relationship between the amounts shown for expenditures and appropriations. Indicate whether the appropriation is also included in the executive budget or relates to a continuing appropriation.*

Would require additional general funds to address increased work load, unknown if additional FTE's would be required due to the uncertain nature of the number of landfill applications to be addressed.

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