

**FISCAL NOTE**  
**Requested by Legislative Council**  
01/05/2007

Bill/Resolution No.: HB 1154

**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.*

	2005-2007 Biennium		2007-2009 Biennium		2009-2011 Biennium	
	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds
<b>Revenues</b>			\$74,583		\$77,003	
<b>Expenditures</b>			\$74,583		\$77,003	
<b>Appropriations</b>						

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

2005-2007 Biennium			2007-2009 Biennium			2009-2011 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).*

This bill requires the Department of Health regulate tanning facilities within the state of North Dakota. Currently this group of providers is not regulated. The costs included in this fiscal note include staff time for rules development and inspection of approximately 650 tanning facilities.

**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.*

There is no mention in the proposed legislation that inspections of tanning facilities are mandated with passage of the law. However, the department is mandated to enforce the provisions of the law and any rules promulgated to further enforce. In order to enforce this chapter the department would need to conduct routine inspections. For purposes of this fiscal note, I used one annual inspection as a basis for inspection and permitting costs. Two inspections per year would not be out of line

**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.*

A fee for a permit to operate a tanning facility is not addressed in this bill; however it does allow the department to establish a fee. We would collect a fee that would be equal to the cost of the program. The revenue would be deposited into the general fund. An alternative to this would be to deposit these fees into the department's operating fund similar to our food and lodging inspection fees.

**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.*

During the 2007-2009 biennium, it is anticipated that it will take approximately 2,800 hours per biennium of staff time or about a .75 FTE for rules development, implementation, salary and operating costs. It is anticipated that the costs during the 2007-2009 biennium would be \$74,583.

As development will occur prior to the 2009-2011 biennium, it is anticipated that the expenditures for ongoing operation of this program will be approximately \$77,003 for the biennium.

**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.*

Funds for this project are not included in the Department's Appropriation bill (HB 1004). The department would need these funds appropriated as well as a .75 FTE to carry out these responsibilities.

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