

FISCAL NOTE
Requested by Legislative Council
01/14/2013

Bill/Resolution No.: HB 1190

- 1 A. **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.*

	2011-2013 Biennium		2013-2015 Biennium		2015-2017 Biennium	
	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds
Revenues						
Expenditures						
Appropriations						

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

	2011-2013 Biennium	2013-2015 Biennium	2015-2017 Biennium
Counties			
Cities			
School Districts			
Townships			

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

The Bill requires the Department to issue a permit to operate a refinery in the state producing thorium that is used commercially or privately in this state and to issue a permit to a facility which uses molten fluid fueled reactors commercially or privately within the borders of the state.

- 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.*

Sufficient information is not available regarding the thorium mineral extraction process, the generation process and associated waste streams (i.e. air, water, waste) to determine a fiscal impact on the department and formulate a rational fiscal impact estimate. The Department does not currently have the authority to regulate reactors, which are the exclusive jurisdiction of the Nuclear Regulatory Commission (NRC). The refining of thorium meets the definition of a mill, which North Dakota is not authorized to regulate or administer rules. The Department would need to amend the current agreement with the NRC to allow state oversight, which is estimated to take several years to complete. This may require the addition of several staff to adequately monitor depending upon the complexity of the operation and rules. For the above referenced reasons we are unable to provide a reliable fiscal note. However, we are confident that a significant fiscal impact would occur.

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.*

- 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.*

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