

FISCAL NOTE
Requested by Legislative Council
03/01/2007

Amendment to: Engrossed
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 |
| Revenues | | | | \$32,281 | | \$30,027 |
| Expenditures | | | | \$32,281 | | \$30,027 |
| Appropriations | | | | | | |

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 to 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 250 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. The Senate has added language that allows the Health Department to deposit the funds into our operating account and waive fees that are subject to local jurisdiction.

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.*

This bill allows the department to establish a fee for a permit to operate a tanning facility. Included in Engrossed HB 1004 is language that allows these fees to be deposited 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 1,180 hours per biennium of staff time or about a .5 FTE for rules development, implementation, salary and operating costs. It is anticipated that the costs during the 2007-2009 biennium would be \$32,281.

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 \$30,027 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 included in the Department's Appropriation bill (Engrossed HB 1004) as amended by the House.

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