

**FISCAL NOTE**  
**Requested by Legislative Council**  
**04/08/2015**

Amendment to: HB 1390

- 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.*

|                       | 2013-2015 Biennium |             | 2015-2017 Biennium |             | 2017-2019 Biennium |             |
|-----------------------|--------------------|-------------|--------------------|-------------|--------------------|-------------|
|                       | General Fund       | Other Funds | General Fund       | Other Funds | General Fund       | Other Funds |
| <b>Revenues</b>       |                    |             |                    |             |                    |             |
| <b>Expenditures</b>   |                    |             | \$64,483           |             |                    |             |
| <b>Appropriations</b> |                    |             | \$64,483           |             |                    |             |

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

|                         | 2013-2015 Biennium | 2015-2017 Biennium | 2017-2019 Biennium |
|-------------------------|--------------------|--------------------|--------------------|
| <b>Counties</b>         |                    |                    |                    |
| <b>Cities</b>           |                    |                    |                    |
| <b>School Districts</b> |                    |                    |                    |
| <b>Townships</b>        |                    |                    |                    |

- 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).*

This new section of NDCC requires the Department of Health to establish at least one pilot project to examine and determine standards for rules governing operations and permitting of commercial oilfield special waste recycling facilities, and to declare an emergency.

- 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.*

Section 1 of the bill requires the Department to select at least one commercial oilfield special waste recycling facility to operate a pilot project and to assist the Department in developing standards for recycling of oilfield special waste. Costs will include temporary staff time to assist with the oversight of the pilot project, to interpret the results derived from the pilot project, and to determine whether administrative rules are required to govern the operations and permitting of such facilities. The bill also contains language that would allow the department to require facilities to post a bond payable to the state for remediation.

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.*

Fee revenue may be generated during the 2017-2019 biennium should fees be established by rule for licensing. Additionally, revenue may be received regarding the cost of any inspection for which a facility is responsible to pay. Until administrative rules are established, the amount of revenue cannot be determined.

Finally, the law is unclear whether the fees collected from licensing and from the cost of inspection are to be deposited into the general fund or the Department's operating fund.

- 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.*

2015-17 Biennium:

The estimated expenditures of \$64,483 includes a .50 temporary environmental scientist at a cost of \$48,523 and operating expenses of \$15,960 for travel, the purchase of one-time computer and office furniture and general operation costs.

2017-19 Biennium:

At this time the Department does not anticipate additional costs.

- 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 or a part of the appropriation is included in the executive budget or relates to a continuing appropriation.*

Since these expenditures are not included in the Executive Budget (HB 1004)an appropriation is needed.

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