

# FISCAL NOTE

**Bill #:** HB0571

**Title:** Restrict location of pesticide weed control facilities

**Primary**

**Sponsor:** Kathleen Galvin-Halcro

**Status:** Second Reading

Sponsor signature	Date	Chuck Swysgood, Budget Director	Date
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## Fiscal Summary

	<u>FY2000 Difference</u>	<u>FY2001 Difference</u>
<b>Expenditures:</b>	0	0
<b>Revenue:</b>	0	0
<b>Net Impact on General Fund Balance:</b>	0	0

<u>Yes</u>	<u>No</u>		<u>Yes</u>	<u>No</u>	
X		Significant Local Gov. Impact	X		Technical Concerns
	X	Included in the Executive Budget	X		Significant Long- Term Impacts
	X	Dedicated Revenue Form Attached		X	Family Impact Form Attached

## Fiscal Analysis

### ASSUMPTIONS:

#### **Department of Agriculture**

1. Cascade, Missoula, and Yellowstone counties are first class counties having cities with populations of more than 50,000.
2. Approximately 18 government entities in those three counties have established pesticide storage, pesticide mixing and loading, or bulk pesticide facilities. These include county weed and mosquito control facilities, city parks and recreation departments, irrigation districts, state agencies, and federal agencies.
3. Government pesticide facilities are inspected at 3 to 4 year intervals by the department to check compliance with pesticide laws. Passage of HB 571 would not significantly change the scope of these inspections and would not require additional staff or funding.
4. The department must determine an appropriate regulatory approach to foster compliance with site location rules. A reasonable approach would be pre-approval or permitting of new construction or improvements by the department. Pre-approval or permitting would require a Montana Environmental Policy Act review. In addition, the department will require the submission of an appraisal with the application documentation.

5. Approximately one application per year is projected. This is based on one new facility per year and improvements to about 5% of the existing facilities each year.
6. Pre-approval or permitting would require 10 hours per application for a site inspection, review of the application, and correspondence
7. Administrative rules would be prepared in FY 2001 and FY 2002.
8. The department will assume all costs in state special revenue accounts for pesticide and ground water programs.

EFFECT ON COUNTY OR OTHER LOCAL REVENUES OR EXPENDITURES:

This bill could require the government entities in three counties to relocate pesticide facilities in order to make improvements. Each of these government entities would need an independent appraisal of their facility in order to improve it, and they would need to conduct an environmental analysis to comply with the Montana Environmental Policy Act to apply to build a new facility or improve an existing one.

LONG-RANGE IMPACTS:

Impacts in future biennia are not markedly different than present law.

TECHNICAL NOTES:

1. The bill does not define “improved”. If not defined in statute, the department would define “improvement” in administrative rules.
2. The bill clearly sets forth the criteria to be used in evaluating whether the department should approve a pesticide facility. If item #1 above is defined, rules may not be necessary.
3. Government owned facilities currently are not appraised. The department would require the government entity to submit an appraisal with the application for approval of an improvement and/or new facility.