

FISCAL NOTE

Bill #: SB0489

Title: Use orphan share fund for evaluation and remediation alternatives

Primary Sponsor: Lind, G

Status: As Amended in House Committee

Sponsor signature	Date	David Ewer, Budget Director	Date
-------------------	------	-----------------------------	------

Fiscal Summary

	<u>FY 2006 Difference</u>	<u>FY 2007 Difference</u>
Expenditures:		
State Special Revenue	\$750,000	\$750,000
Revenue:		
General Fund	\$0	\$0
Net Impact on General Fund Balance:	\$0	\$0

-
- | | |
|---|---|
| <input type="checkbox"/> Significant Local Gov. Impact
<input type="checkbox"/> Included in the Executive Budget
<input type="checkbox"/> Dedicated Revenue Form Attached | <input type="checkbox"/> Technical Concerns
<input type="checkbox"/> Significant Long-Term Impacts
<input checked="" type="checkbox"/> Needs to be included in HB 2 |
|---|---|
-

Fiscal Analysis

ASSUMPTIONS:

Department of Environmental Quality (DEQ)

1. HB 2 must be amended to include \$1,500,000 for the department to conduct remedial investigation and feasibility study for releases at facilities for which a state agency may be liable. Expenditures should be authorized under HB 2 as one-time only, restricted, biennial appropriation and would be used only for contracted services.
2. The department will manage the contract necessary to complete the investigation approved under this SB 489.
3. The agencies will expend \$750,000 each year of the biennium for contracted services to conduct an investigation and feasibility study for releases at the Reliance Refinery, Kalispell Pole and Timber, and Yale Oil facilities complex located in Kalispell, Montana.
4. Contamination from these three facilities has coalesced into a common plume, which makes any and all of the potentially liable persons (PLPs) jointly and severally liable for the entire cost to address contamination at the facilities under Title 75, chapter 10, part 7.
5. The state is identified as a PLP due to its ownership and operation of real property at the Kalispell Pole and Timber and Reliance Refinery facilities.
6. DEQ may not cost-recover these monies from any PLP.

Fiscal Note Request SB0489, As Amended in House Committee
(continued)

FISCAL IMPACT:

	<u>FY 2006</u> <u>Difference</u>	<u>FY 2007</u> <u>Difference</u>
<u>Expenditures:</u>		
Operating Expenses	\$750,000	\$750,000
<u>Funding of Expenditures:</u>		
State Special Revenue (02)	\$750,000	\$750,000
<u>Revenues:</u>		
State Special Revenue (02)	\$0	\$0
<u>Net Impact to Fund Balance (Revenue minus Funding of Expenditures):</u>		
State Special Revenue (02)	(\$750,000)	(\$750,000)