MONTANA SENATE
2007 LEGISLATURE

ROLL CALL
AGRICULTURE

DATE 29 JAN 07

NAMES	PRESENT	ABSENT	EXCUSED
SEN. KEITH BALES (R)	✓		
SEN. JOHN BRUEGGEMAN (R)	✓		
SEN. LANE LARSON (D)	✓		
SEN. GERALD PEASE (D)	✓		
SEN. FRANK SMITH (D)	✓		
SEN. DONALD STEINBEISSER (R)	✓		
SEN. KEN HANSON (D)	✓		
DOUG STERNBERG (LSD)	✓		
LOIS O'CONNOR, SECRETARY	✓		

COMMITTEE FILE COPY

TABLED BILL

The **SENATE AGRICULTURE, LIVESTOCK AND IRRIGATION COMMITTEE** TABLED **SB 262**, by motion, on **Monday, January 29, 2007**.

Carol Andersen
(For the Committee)

(Secretary of the Senate)

_____ / 1-29
(Time) (Date)

January 29, 2007 Carol R. Andersen, Secretary Phone: 444-4697

MONTANA STATE SENATE
2007 LEGISLATURE

AGRICULTURE, LIVESTOCK AND IRRIGATION

ROLL CALL VOTE

DATE 1-29-07 BILL NO. SB 262 NUMBER

MOTION: Failed - Reversed - Tabled

NAME	AYE	NO
SEN. KEITH BALES (R)		✓
SEN. JOHN BRUEGGEMAN (R)		✓
SEN. LANE LARSON (D)	✓	
SEN. GERALD PEASE (D)	✓	
SEN. FRANK SMITH (D)	✓	
SEN. DONALD STEINBEISSER (R)		✓
SEN. KEN HANSEN (D) - CHAIRMAN		✓
	3	4

GOVERNOR'S OFFICE OF BUDGET AND PROGRAM PLANNING

Fiscal Note 2009 Biennium

Bill #	SB0262	**Title:**	Create mosquito control coordinator in department of agriculture
Primary Sponsor:	Tropila, Joseph (Joe)	**Status:**	As Introduced

- ☐ Significant Local Gov Impact
- ☑ Needs to be included in HB 2
- ☑ Technical Concerns
- ☐ Included in the Executive Budget
- ☐ Significant Long-Term Impacts
- ☐ Dedicated Revenue Form Attached

FISCAL SUMMARY

	FY 2008 Difference	FY 2009 Difference	FY 2010 Difference	FY 2011 Difference
Expenditures:				
General Fund	$141,885	$120,035	$123,036	$126,112
Revenue:				
General Fund	$0	$0	$0	$0
Net Impact-General Fund Balance	($141,885)	($120,035)	($123,036)	($126,112)

Description of Fiscal Impact:
This bill adds the function and related duties of mosquito coordination to the Montana Department of Agriculture. This bill requires the Department of Public Health and Human Services to educate the public about the risk and prevention of vector-borne diseases and provide testing of mosquitoes, birds, and humans for vector-borne diseases. Based on current data, there is no fiscal impact; however, there may be a potential fiscal impact in future years. This bill requires the Department of Environmental Quality to incorporate a review of inset control plan in the plan review of new or remodeled wastewater treatment systems that could influence insect production.

FISCAL ANALYSIS

Assumptions:
Department of Agriculture (MDA)
1. The MDA shall provide a mosquito control specialist as a single point of contact for all issues relating to mosquito control for the state as a whole (see technical note #4). This new program will be housed within the Agricultural Sciences Division.
2. As no revenues or appropriations are identified in this bill (see technical note #5), MDA assumes that the program will be funded by the general fund.
3. MDA estimates that it will take approximately 3,650 hours (1.75 FTE) per fiscal year to meet the required duties identified in Section 1, (2).

4. The MDA is requesting 1.75 FTE totaling $93,040 in FY 2008 to administer this program. Staff would include: 1.00 FTE agricultural specialist coordinator, 0.50 FTE agricultural specialist, and 0.25 FTE administrative support staff. Personal services have been increased by 2.5% for inflation in FY 2010 and FY 2011.
5. Operating expenses total $33,345 in FY 2008 (start-up costs of $6,350; printing and supplies $6,609; communications $2,485; travel $12,751; rent $4,032; repair & maintenance $228; other expenses $890). FY 2008 is higher for start-up costs and FY 2010 and FY 2011 are increased by 2.5% for inflation.
6. Equipment costs total $15,500 in FY 2008 for the purchase of a mid-size sedan to be used for training, education, workshops, and other duties across the state.
7. MDA assumes that any testing/analytical work that may be needed will be conducted by the DPHHS at no cost to MDA.
8. MDA assumes that all public program activities described in the bill will be funded by the program, and therefore, no fees will be charged for the services provided under the bill.

Department of Public Health and Human Services (DPHHS)

9. There is no fiscal impact as a result of this bill based on current information available to DPHHS.
10. The Laboratory Services Bureau within the Public Health and Safety Division will continue to conduct the testing of mosquitoes, birds and humans for vector-borne diseases, as specified in this bill.
11. The Communicable Disease and Control Bureau within the Public Health and Safety Division will continue to provide public education about the risk and prevention of vector-borne diseases, as specified in this bill.
12. Vector-borne diseases includes diseases that are spread by insects other than mosquitoes and by animals and other carriers, and all these diseases will require laboratory testing, including current known diseases (such as Hantavirus, Tularemia, West Nile Virus, Lyme disease, Rocky Mountain Spotted Fever, and various Arboviruses) as well as emerging diseases which may cause outbreaks in the future and cannot be predicted today. Costs for emerging disease laboratory testing also cannot be predicted today.
13. Laboratory testing of mosquitoes or birds for vector-borne diseases is currently done only for West Nile Virus, the other tests for vector-borne diseases are done on humans only.
    a. Federal funds currently provide funding for laboratory testing at the DPHHS for only West Nile Virus laboratory tests.
    b. The same federal funding currently provides funding for the DPHHS for public education on risk and prevention from West Nile virus.
    c. Federal funding was reduced from $250,000 in calendar year 2006 to $160,000 for calendar year 2007. Federal funds available for West Nile virus may continue to decrease in the future.
14. Laboratory testing on humans for vector-borne and other diseases is currently billed to medical providers according to the fee schedule defined in ARM 37.12.401 and will have no fiscal impact.
15. New or emerging vector-borne diseases might not receive federal funding.

Department of Environmental Quality (DEQ)

16. There is no fiscal impact as a result of this bill based on current information available to DEQ. Within existing workload, the DEQ will incorporate a review of an insect control plan in the plan reviews of new or remodeled wastewater treatment system that could influence insect production.
17. The DEQ will incorporate wastewater operator training materials and exam questions for operator certification when the study and testing material are updated and revised.
18. Coordination within the DEQ would involve including duties with current technical assistance staff and technical assistance efforts. DEQ assumed approximately 80 hours of time to coordinate with wastewater facility operators through the operator certification program.
19. The wetlands discussed are assumed to be general in nature, bodies of water, and specific wetlands defined by wetland function. Technical assistance work would be general in nature and involve an estimated 80 hours of DEQ staff time to coordinate with the new MDA staff.

20. The total 160 hours of work for current staff and related operating expenses can be incorporated within the existing budget.

	FY 2008 Difference	FY 2009 Difference	FY 2010 Difference	FY 2011 Difference
Fiscal Impact:				
Department of Agriculture				
FTE	1.75	1.75	1.75	1.75
Expenditures:				
Personal Services	$93,040	$93,040	$95,366	$97,750
Operating Expenses	$33,345	$26,995	$27,670	$28,362
Equipment	$15,500	$0	$0	$0
TOTAL Expenditures	$141,885	$120,035	$123,036	$126,112
Funding of Expenditures:				
General Fund (01)	$141,885	$120,035	$123,036	$126,112
Net Impact to Fund Balance (Revenue minus Funding of Expenditures):				
General Fund (01)	($141,885)	($120,035)	($123,036)	($126,112)

Technical Notes:

1. Section 1 need clarification on a state mosquito control coordinator versus the state mosquito control program.
2. Section 1 (e)(iii): preparation of annual district reports and plans is conducted by the mosquito districts, as per 7-22-2418 (proposed new 1). Assistance from MDA is not necessary as mosquito districts have been preparing these reports successfully in the past. Therefore, Section 1 (e)(iii) should be removed from the language.
3. Section 2 (3)(b) requires DEQ and MDA to provide technical assistance for the design and location of wetlands. DEQ has indicated that they do not permit or otherwise regulate wetland creation. It is nearly impossible to estimate or calculate the time and resources needed to conduct this activity.
4. The bill does not provide for any rule making authority for the duties and responsibilities of the MDA nor for mechanisms of cooperation between the other agencies.
5. The MDA, DEQ, and DPHHS, the Departments of Fish Wildlife and Parks and Livestock should be included in any mechanism of cooperation between agencies.
6. The term "vector-borne disease" used in the bill has a very broad clinical definition which encompasses an extensive array of diseases. It may be defined as, "a carrier which transfers an infective agent from one host to another." This bill does not state "mosquito-borne disease". Other vectors include tick-borne, and food-borne as well as other potential vectors.
7. The specific types of vector-borne disease testing are not specified in this bill.
8. Surveillance of vector-borne diseases is not expressed in this bill, but is an integral part of the testing process for maintaining public health.

Sponsor's Initials	*Date*	*Budget Director's Initials*	*Date*
		D Bucek	1/23/07